



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

[illegible]

CONTENTS		English Pages	Vernacular pages
PART I-A6	Appointments, promotions, transfers and leave of absence sanctioned by the Governor, Government and the Ministers	366-368	
PART I-B6	Notifications, Communiques and General Orders by the Government and the Ministers	271-284	
PART II-A6	Appointments, promotions, transfers and leave of absence sanctioned by Heads of Departments	53-54	
PART II-B6	Notifications, Notices and Orders by Heads of Departments, Provincial Heads, Magistrates and other officers competent to issue public notices under any law or rule	229-236	
PART II-C6	Notifications, Notices and Orders by Election Commission of India, Chief Electoral Officer, Jammu and Kashmir and other Officers of the Department, Election Petitions and Judgements of Election Tribunal		
PART III-	Laws, Regulations and Rules passed thereunder		
PART IV6	Reprints from the Government of India Gazette or Gazettes of others Governments....		
PART V6	Information and Statistics		
	(a) Rates and prices in the State....		
	(b) Rates and wages		
	(c) Crop Report and Forecasts		
	(d) Whether Observations		
	(e) Vital Statistics		
SUPPLEMENT-A6	Trade Monthly Imports and Exports from the State		
SUPPLEMENT-B6	Police		
SUPPLEMENT-C6	Advertisements		
		67-68	157-160

Jammu & Kashmir Government—Orders

HIGH COURT OF JAMMU AND KASHMIR AT JAMMU
(Exercising powers of Bar Council under Section 58 of the Advocates
Act, 1961).

No. 1689 Dated 16-03-2020.

The renewal/extension of provisional licence/enrollment must be sought before the date of expiry unless the absolute/final enrollment as an Advocate is ordered therebefore.

No. 1690 Dated 16-03-2020.

It is hereby notified that vide High Court Order dated 19-02-2020 Mr. Tushar Chopra S/o Neeraj Chopra R/o Ward No. 5, Main Bazar, Tehsil and District Kathua has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally

No. 30] The J&K Govt. Gazette, 22nd October, 2020/30th Asv., 1942. 367
ôôôôôôôô ôôô ô
for a period of one year from the date of issuance of this notification,
subject to the verification of his Provisional/LL.B Degree Certificate
from the concerned University and verification of his character
and antecedents from CID. His name has been entered under Serial
No. JK-160/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be
sought before the date of expiry unless the absolute/final enrollment as
an Advocate is ordered therebefore.

ôôôôôôôô

Notification

No. 1691 Dated 16-03-2020.

It is hereby notified that vide High Court Order dated 19-02-2020
Ms. Soby Jan D/o Abdul Hamid Daga R/o Humhama, New Airport
Road, Sofi Mohalla, Budgam has been admitted and enrolled as an
Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally
for a period of one year from the date of issuance of this notification,
subject to the verification of her Provisional/LL.B Degree Certificate
from the concerned University and verification of her character
and antecedents from CID. Her name has been entered under Serial
No. JK-144/2020 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be
sought before the date of expiry unless the absolute/final enrollment as
an Advocate is ordered therebefore.

ôôôôôôôô

Notification

No. 1692 Dated 16-03-2020.

It is hereby notified that vide High Court Order dated 19-02-2020
Mr. Sourab Anand S/o Narinder Kumar Anand R/o Rehari Colony,
H. No. 1101, Near Education Board, Jammu has been admitted and
enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council

368 The J&K Govt. Gazette, 22nd October, 2020/30th Asv., 1942. [No. 30
provisionally for a period of one year from the date of issuance of this
notification, subject to the verification of his Provisional/LL.B Degree
Certificate from the concerned University and verification of his
character and antecedents from CID. His name has been entered under
Serial No. JK-137/2020 in the Roll of Advocates maintained by this
Registry.

The renewal/extension of provisional licence/enrollment must be
sought before the date of expiry unless the absolute/final enrollment as
an Advocate is ordered therebefore.

Notification

Notification

No. 1693 Dated 16-03-2020.

It is hereby notified that vide High Court Order dated 19-02-2020
Ms. Swati Adotra D/o Bishan Dutt R/o Village Ghordi, Tehsil Ram
Nagar, District Udhampur A/P Lane No. 3, H. No. 378, Lakkar Mandi,
Janipur, Jammu has been admitted and enrolled as an Advocate on the
Rolls of Jammu and Kashmir Bar Council provisionally for a period of
one year from the date of issuance of this notification, subject to the
verification of her Provisional/LL.B Degree Certificate from the
concerned University and verification of her character and antecedents
from CID. Her name has been entered under Serial No. JK-139/2020
in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional licence/enrollment must be
sought before the date of expiry unless the absolute/final enrollment as
an Advocate is ordered therebefore.

(Sd.) MOHAMMAD YASIN BEIGH,

Additional Registrar.



Vol. 133] Jammu, Thu., the 22nd Oct., 2020/30th Asv., 1942. [No. 30

oo

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT& REVENUE DEPARTMENT.

Dated 23-10-2019.

Specifications of land

District	Tehsil	Village	Kh. Nos.	Area K. M.
Ramban	Ramban	Maitra	322	00613½
		Govindpura	333	00605
			Total	00618½

Whereas, on the basis of an indent placed by Chief Engineer, Sawlakote (HEP), Ramban vide No. SHEP/CE/Collector/1308-09 dated 27-10-2018, a notification under section 4 (1) was issued by Collector, Land Acquisition (SHEP), Ramban vide No. 352-54/SKP dated 15-12-2018 for land measuring 18½ Marlas, situated in Village Maitra-Govindpura, Tehsil and District Ramban ;

Whereas, the Collector, Land Acquisition (SHEP), Ramban vide No. 60/SKP dated 18-09-2019, has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons in the prescribed time period as required under sections 5 and 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (SHEP), Ramban vide number referred to above duly endorsed by Deputy Commissioner, Ramban vide No. DC/LA/Rbn/323-24 dated 21-09-2019, has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for construction/realignment of road from Village Tatarsoo to Parnote, situated in Village Maitra-Govindpura Tehsil and District Ramban.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 18½ Marlas situated in Village Maitra-Govindpura, Tehsil and District Ramban, particulars whereof are given above is required for public purpose viz. for construction/realignment of road from Village Tatarsoo to Parnote, situated in Village Maitra-Govindpura, Tehsil and District Ramban. Further, the Collector, Land Acquisition (SHEP), Ramban is directed under section 7 of the said Act to take orders for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Acquisition Act/Rules.

Now, in pursuance of section 17 of the Land Acquisition Act Samvat 1990, it is ordered that on expiry of fifteen days from the publication of the notification under section 9(2) of the said Act, the Collector will take possession of the aforementioned land in Village Maitra-Govindpura, Tehsil

No. 30] The J&K Govt. Gazette, 22nd Oct., 2020/30th Asv., 1942. 273
 and District Ramban required for public purpose, subject to fulfillment of
 the conditions prescribed under section 9(2) and section 17-A of the Land
 Acquisition Act and Rules 63 of the Land Acquisition Rules.

However, the Collector concerned shall be personally responsible for
 identification and proper title verification of all types of land involved in the
 case and apportionment of compensation amongst all the interested persons/
 rightful claimants, in accordance with the relevant laws/rules in force, while
 making the award.

(Sd.) ABDUL MAJID,

Secretary to Government,
 Revenue Department.

 GOVERNMENT OF JAMMU AND KASHMIR,
 CIVIL SECRETARIAT⁶ REVENUE DEPARTMENT.

Notification No. 179-Rev (LAJ) of 2019

Dated 23-10-2019.

Whereas, the land specifications whereof are given below is required
 for public purpose viz. for construction of Project Utilities, situated in Village
 Tanger, Tehsil and District Ramban ;

Specifications of land

District	Tehsil	Village	Kh. Nos.	Area
				K. M.
Ramban	Ramban	Tanger	256	03614
			257	02617
				00000
			Total	06611
				00000

Whereas, on the basis of an indent placed by Executive Engineer,
 CCD-II, Sawlakote (HEP), Ramban vide No. SHEP/CCD-II/255-57 dated
 31-03-2015, a notification under section 4 (1) was issued by Collector, Land
 Acquisition (SHEP), Ramban vide No. 255-67/SKP dated 17-09-2018 for
 land measuring 06 Kanals and 11 Marlas, situated in Village Tanger,
 Tehsil and District Ramban ;

Whereas, the Collector, Land Acquisition (SHEP), Ramban vide No. 59/SKP dated 18-09-2019, has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons in the prescribed time period as required under sections 5 and 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (SHEP), Ramban vide No. referred to above duly endorsed by Deputy Commissioner, Ramban vide No. DC/LA/Rbn/321-22 dated 21-09-2019, has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for construction of project Utilities, situated in Village Tanger, Tehsil and District Ramban ;

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 06 Kanals and 11 Marlas situated in Village Tanger, Tehsil and District Ramban, particulars whereof are given above is required for public purpose viz. for construction of Project Utilities, situated in Village Tanger, Tehsil and District Ramban. Further, the Collector, Land Acquisition (SHEP), Ramban is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Acquisition Act/Rules.

Now, in pursuance of section 17 of the Land Acquisition Act, Samvat 1990, it is order that on expiry of fifteen days from the publication of the notification under section 9(2) of the said Act the Collector will take possession of the aforementioned land in Village Tanger, Tehsil and District Ramban required for public purpose, subject to fulfillment of the conditions prescribed under section 9(2) and section 17-A of the Land Acquisition Act and Rules 63 of the Land Acquisition Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case and apportionment of compensation amongst all the interested persons/

oo

Secretary to Government,
Revenue Department.

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT& REVENUE DEPARTMENT.

Dated 22-10-2019.

Whereas, the land specifications whereof are given in "Annexure-A" to this notification is required for public purpose viz., for construction of Fire and Emergency Station, Kishtwar, situated in Village Kishtwar, Matta and Hydyal, Tehsil and District Kishtwar by Fire and Emergency Services, J&K, Jammu ;

Whereas, on the basis of an indent placed by Director, Fire and Emergency Services, J&K, Jammu vide No. DF & ES/BD/Kishtwar/06/2018/1942-46 dated 16-03-2018, a notification under section 4 (1) was issued by Collector, Land Acquisition (ACR), Kishtwar vide No. ACR/LA/2017/2722-28 dated 19-03-2018 for land measuring 05 Kanals, situated in Village Kishtwar, Matta and Hidyul, Tehsil and District Kishtwar ;

Whereas, the Collector, Land Acquisition (ACR), Kishtwar vide No. ACR/LA/2019-167 dated 28-05-2019, has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act was served upon the interested persons for filing objections, if any, to the proposed acquisition, and some of the interested persons/land owners filed some objections which were considered by the Collector concerned and a factual report was called from Tehsildar, Kishtwar in respect of the

276 The J&K Govt. Gazette, 22nd Oct., 2020/30th Asv., 1942. [No. 30
oo
objections. It was reported by the Tehsildar concerned that the objection
filed by the interested persons/land owners were without any merit and
baseless ;

W h e r e a s , t h e r e p o r t f u r n i s h e d b y C o l l e c t o r , L a n d A c q u i s i t i o n (A C R) , Kishtwar vide No. referred to above, duly endorsed by the District Collector (DC), Kishtwar vide No. DCK/LA/2019/89-94 dated 03-06-2019, Divisional Commissioner, Jammu vide No. 502/3312/Fire-Emergency/Kishtwar/19/1152-54 dated 29-07-2019 and by the Financial Commissioner, Revenue vide No. FC-LS/LA-4929/2019 dated 12-09-2019 has been examined and it has been found that some land owners filed objections to the proposed acquisition which after verification were found baseless and without any merit ;

Whereas, the Government is satisfied that the land particulars whereof are given in "Annexure-A" to this notification is required for public purpose viz. for construction of Fire and Emergency Station, Kishtwar, situated at Villages Kishtwar, Matta and Hidyál, Tehsil and District Kishtwar by Fire and Emergency Services, J&K, Jammu ;

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 05 Kanals situated at Villages Kishtwar, Matta and Hidyál, Tehsil and District Kishtwar particulars whereof are given in "Annexure-A" to this notification is required for public purposes viz. for construction of Fire and Emergency Station, Kishtwar, situated at Villages Kishtwar, Matta and Hidyál, Tehsil and District Kishtwar by Fire and Emergency Services, J&K, Jammu. Further, the Collector, Land Acquisition (ACR), Kishtwar is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Acquisition Act/Rules.

Now, in pursuance of section 17 of the Land Acquisition Act, Samvat 1990, it is ordered that on expiry of fifteen days from the publication of the notification under section 9 (2) of the said Act, the Collector will take possession of the aforementioned land in Village Kishtwar, Matta and Hidyal required for public purpose, subject to fulfillment of the conditions prescribed under section 9 (2) and section 17-A of the Land Acquisition Act and Rule 63 of the Land Acquisition Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case and apportionment of compensation amongst all the interested persons/ rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

Secretary to the Government,
Revenue Department.

 $\hat{O} \quad \hat{O} \quad \hat{O}$

Particulars of the land

District	Tehsil	Village	Kh. Nos.	Area
1	2	3	4	5
				K. M.
Kishtwar	Kishtwar	Matta	270 min	00610
Kishtwar	Kishtwar	Matta	271	01607
		Total of Village Matta		01617
Kishtwar	Kishtwar	Hidyal	928	00619
		Total of Village Hidyal		00619
Kishtwar	Kishtwar	Kishtwar	4557 min	01600
			4558 min	01604
			Total	02604
Grand Total of Village Matta, Hidyal and Kishtwar				056 00

No. 30] The J&K Govt. Gazette, 22nd Oct., 2020/30th Asv., 1942. 279
received from the land owners/interested persons in the prescribed time
period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (ADC),
Reasi vide number referred duly endorsed by District Collector (DC), Reasi
vide No. DC/Rsi/19-20/244-49/SQ dated 12-10-2019, Divisional
Commissioner, Jammu vide No. 502/3767/Acq/GREF/Gajore/Rsi/2019/2491
dated 15-10-2019 and by the Financial Commissioner, Revenue vide
No. FC-LS/LA-5009/2019 dated 18-10-2019 has been examined and it has
been found that the land owners did not file any objection to the proposed
acquisition ;

Whereas, the Government is satisfied that the land particulars whereof
are given above is required for public purpose viz. for widening of Reasi-
Pouni-Siar Rajouri road Double Lane specification, situated in Village Gajore,
Tehsil Pouni, District Reasi by GREF.

Now, therefore, in pursuance of section 6 of the J&K State Land
Acquisition Act, Samvat 1990, it is declared that land measuring 14 Kanals,
10 Marlas situated in Village Gajore, Tehsil Pouni, District Reasi, particulars
whereof are given above is required for public purpose viz. for widening of
Reasi-Pouni-Siar Rajouri road double lane specification, situated in Village
Gajore, Tehsil Pouni, District Reasi by GREF. Further, the Collector, Land
Acquisition (ADC), Reasi is directed under section 7 of the said Act to take
order for acquisition of the said land after giving prescribed notice to the
interested person (s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for
identification and proper title verification of all types of land involved in the
case and apportionment of compensation amongst all the interested persons/
rightful claimants, in accordance with the relevant laws/rules in force, while
making the award.

(Sd.) ABDUL MAJID,

Secretary to Government,
Revenue Department.

ô ô ô ô

GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIAT& REVENUE DEPARTMENT.

Dated 25-10-2019.

Specification of land

District	Tehsil	Village	Kh. No.	Area
				K. M. S.
Reasi	Pouni	Kalakote	45	02601605

Whereas, the Collector, Land Acquisition (ADC), Reasi vide No. Col/LA/ADC/Rsi/19-20/145-48/NSQ dated 04-10-2019, has reported that the notification issued under section 4 (1) of the J&K State Land Acquisition Act was served upon the interested persons for filing objections, if any, to the proposed acquisition, but no objection was received from the land owners/interested persons in the prescribed time period as required under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the Government is satisfied that the land particulars whereof are given above is required for public purpose viz. for widening of Reasi-

No. 30] The J&K Govt. Gazette, 22nd Oct., 2020/30th Asv., 1942. 281
 Pouni-Rajouri road between KM 51.705 to 54.450 Double Lane specification
 situated in Village Kalakote, Tehsil Pouni, District Reasi by GREF.

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 02 Kanals, 01 Marla and 05 Sirsai situated in Village Kalakote, Tehsil Pouni, District Reasi, particulars whereof are given above is required for public purpose viz. for widening of Reasi-Pouni-Rajouri road between KM. 51.705 to 54.450 Double Lane specification, situated in Village Kalakote, Tehsil Pouni, District Reasi by GREF. Further, the Collector, Land Acquisition (ADC), Reasi is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case and apportionment of compensation amongst all the interested persons/ rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

(Sd.) ABDUL MAJID,

Secretary to Government,
 Revenue Department.

ô ô ô

GOVERNMENT OF JAMMU AND KASHMIR,
 CIVIL SECRETARIATô REVENUE DEPARTMENT.

Notification No. 259-Rev (LAJ) of 2019

Dated 25-10-2019.

Whereas, the land specifications whereof are given below is required for public purpose viz., for widening of Jammu-Rajouri-Poonch road, situated in Village Kallar, Tehsil and District Rajouri by GREF ;

Specification of land

District	Tehsil	Village	Kh. Nos.	Area
				K. M.
Rajouri	Rajouri	Kallar	146	01612
			151	01617
			151 min	00604
				ô ô ô
			Total	03613
				ô ô ô

Whereas, on the basis of an indent placed by Commanding Officer, 58 RCC (GREF) a notification under section 4(1) was issued by Collector, Land Acquisition (Def), Rajouri/Poonch Hq. Rajouri vide No. DCR/2018-19/Col/Def/32043-47 dated 24-01-2019 for land measuring 03 Kanals and 13 Marlas, situated in Village Kallar, Tehsil and District Rajouri ;

Whereas, the report furnished by District Collector (DC), Rajouri, vide number referred to above duly endorsed by the Divisional Commissioner, Jammu vide No. 502/3702/Kallar/GREF/Raj/19/2386 dated 04-10-2019 and by the Financial Commissioner, Revenue vide No. FC-LS/LA-5054/2019 dated 23-10-2019 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 03 Kanals, 13 Marlas situated in Village Kallar, Tehsil and District Rajouri, particulars whereof are given above is required for public purpose viz. for widening of Jammu-Rajouri-Poonch road situated in Village Kallar, Tehsil and District Rajouri by GREF. Further, the Collector, Land Acquisition (Def), Rajouri/ Poonch, Hq. Rajouri is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Acquisition Act/Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case and apportionment of compensation amongst all the interested

No. 30] The J&K Govt. Gazette, 22nd Oct., 2020/30th Asv., 1942. 283
 persons/rightful claimants, in accordance with the relevant laws/rules in force,
 while making the award.

(Sd.) ABDUL MAJID,

Secretary to Government,
 Revenue Department.

ô ô ô ô

GOVERNMENT OF JAMMU AND KASHMIR,
 CIVIL SECRETARIATô REVENUE DEPARTMENT.

Notification No. 264-Rev (LAJ) of 2019

Dated 25-10-2019.

Whereas, the land specifications whereof are given below is
 required for public purpose viz., for relocation of 132 KV D/C Transmission
 Line Towers due to four laning of National Highway (NH-44), situated in
 Village Morh, Tehsil and District Udhampur by NHAI ;

Specification of land

District	Tehsil	Village	Location No.	Kh. Nos.	Area
					K. M.
Udhampur	Udhampur	Morh	J-55	138	00618
				139 min	00607
					ô ô ô
				Total	01605
					ô ô ô

Whereas, on the basis of an indent placed by Project Director,
 NHAI, PIU, Jammu, a notification under section 4(1) was issued by
 Collector, Land Acquisition (ADC), Udhampur vide No. LA/ADC/427-
 36 dated 30-07-2019 for land measuring 01 Kanal and 05 Marlas, situated
 in Village Morh, Tehsil and District Udhampur ;

Whereas, the Collector, Land Acquisition (ADC), Udhampur vide
 No. LA/ADC/1714 dated 10-10-2019 has reported that the notification
 issued under section 4 (1) of the J&K State Land Acquisition Act was
 served upon the interested persons for filing objections, if any, to the
 proposed acquisition, but no objection was received from the land
 owners/interested persons in the prescribed time period as required
 under sections 5 & 5-A of the Land Acquisition Act ;

Whereas, the report furnished by Collector, Land Acquisition (ADC), Udhampur, vide number referred to above duly endorsed by Deputy Commissioner, Udhampur vide No. LA/DCU/1733-35 dated 12-10-2019, Divisional Commissioner, Jammu vide No. 502/3775/NHAI/Morh/Udr/19/2559 dated 19-10-2019 and by the Financial Commissioner, Revenue vide No. FC-LS/LA-5088/2019 dated 23-10-2019 has been examined and it has been found that the land owners did not file any objection to the proposed acquisition ;

Now, therefore, in pursuance of section 6 of the J&K State Land Acquisition Act, Samvat 1990, it is declared that land measuring 01 Kanal, 05 Marlas situated in Village Morh, Tehsil and District Udhampur, particulars whereof are given above is required for public purpose viz. for relocation of 132 KV D/C Transmission Line Towers due to four laning of National Highway (NH-44), situated in Village Morh, Tehsil and District Udhampur by NHAI. Further, the Collector, Land Acquisition (ADC), Udhampur is directed under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person (s) as required under the Land Acquisition Act/Rules.

Now, in pursuance of section 17 of the Land Acquisition Act, Samvat 1990, it is ordered that on expiry of fifteen days from the publication of the notification under section 9(2) of the said Act, the Collector will take possession of the aforementioned land in Village Morh, Tehsil and District Udhampur required for public purpose, subject to fulfillment of the conditions prescribed under section 9(2) and section 17-A of the Land Acquisition Act and Rules 63 of the Land Acquisition Rules.

However, the Collector concerned shall be personally responsible for identification and proper title verification of all types of land involved in the case and apportionment of compensation amongst all the interested persons/rightful claimants, in accordance with the relevant laws/rules in force, while making the award.

Secretary to Government,
Revenue Department.



THE

JAMMU AND KASHMIR GOVERNMENT GAZETTE

Vol. 133] Jammu, Thu., the 22nd Oct., 2020/30th Asv., 1942. [No. 30
Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART II—A

Orders by Heads of Departments.

CHARGE REPORTS

In compliance to Govt. Order No. 772-JK(GAD) of 2020 dated 19-08-2020 issued by General Administration Department (Services), Civil Secretariat, Srinagar vide Endtt. No. GAD(Ser)/IAS/26/2020 dated 19-08-2020, we do hereby handover and takeover the charge of the post of Managing Director/CEO, Jammu/Srinagar Mass Rapid Transit Corporation today on 20th August, 2020 (F.N.).

(Sd.) VIKAS KUNDAL, IAS,

Relieved Officer.

(Sd.) ANKITA KAR, IRAS,

Relieving Officer.

ô ô ô ô

54 The J&K Govt. Gazette, 22nd Oct., 2020/30th Asv., 1942. [No. 30
oo

Certified that we have in the forenoon/afternoon of this day
respectively made over and received charge of the Office of Additional
Special Mobile Magistrate, Udhampur.

Station : Udhampur.

Dated : 31-07-2019.

(Sd.)

Munsiff,
District Judicial Mobile Magistrate,
Udhampur.

Relieved Officer.

(Sd.)

Additional Special Mobile Magistrate,
Udhampur.

Relieving Officer.



THE JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 133] Jammu, Thu., the 22nd Oct., 2020/30th Asv., 1942. [No. 30

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART II—B

Notifications, Notices and Orders by the Heads of Departments.

ô ô ô ô

GOVERNMENT OF JAMMU AND KASHMIR,
OFFICE OF THE COLLECTOR, LAND ACQUISITION
(ASSISTANT COMMISSIONER, REVENUE), REASI.

Final Award

Subject :ô Acquisition of land measuring 10 Kanals 09 Marlas situated in
Village Laiter, Tehsil Pouni being acquired for construction of
road from Danga to Mangahi in Village Laiter, Tehsil Pouni,
District Reasi under PMGSY Phase-X, Package No. JK14-
431, Block Pouni, Length=3.600 Kms.

ô ô ô ô

District Collector (Deputy Commissioner), Reasi, was requested by
the Executive Engineer, PMGSY Division, Reasi in a letter of formal indent
bearing No. PMGSY/Udh-II/R/1815-19 dated 19-12-2014, for the acquisition
of land for public purpose namely ôConstruction of PMGSY road from
Danga to Mangahi in Village Laiterô, Tehsil Pouni, District Reasi. The case
was referred to this Collectorate for initiating land acquisition proceedings

under the provisions of Land Acquisition Act, 1990 BK and rule made thereunder. The revenue papers were got prepared through Tehsildar, Pouni and also got authenticated by the Indenting Department.

Accordingly, a notification under section 4(1) of Land Acquisition Act No. X Svt. 1990 was issued by this Collectorate vide No. CLA/ACR/Rsi/2017-18/625-33 dated 02-03-2018 and was served upon the land owners/interested persons and Indenting Department, who were asked to file their objections, if any, within 15 days from the date of issuance of said notification. No objection was received by this Collectorate in response to said notification. The case was submitted to the District Collector (Deputy Commissioner), Reasi vide No. CLA/ACR/Rsi/18-19/01 dated 24-04-2018 for declaration under sections 6 & 7 of the Land Acquisition Act, 1990 Svt. from the competent authority. Thereafter, the District Collector (Deputy Commissioner), Reasi requested, Commissioner/Secretary to Government, Revenue Department, Civil Secretariat, Jammu vide No. DC/Rsi/18-19/176-77/SQ dated 26-04-2018, for the issuance of declaration under sections 6 & 7 of the Land Acquisition Act. The Commissioner/Secretary to Government, Revenue Department, Civil Secretariat, Srinagar vide Notification No. 398-Rev (LAJ) of 2018 dated 15-10-2018 issued declaration under sections 6 & 7 for the land measuring 10 Kanals 09 Marlas for the subject public purpose, with the direction to the Collector, Land Acquisition (Assistant Commissioner, Revenue), Reasi that he shall be personally responsible for identification and proper title verification of all types of land involved in the case and apportionment of compensation amongst all the interested persons/rightful claimants in accordance with the relevant laws/rules in force, while making the award and directed this Collectorate under section 7 of the said Act to take order for acquisition of the said land after giving prescribed notice to the interested person(s) as required under the Land Acquisition Act/Rules.

Then, a notification under sections 9 & 9A of the Land Acquisition Act was issued by this Collectorate vide No. CLA/ACR/Rsi/18-19/272-280 dated 31-10-2018, and served upon the land owners/interested persons and Indenting Department asking them to file their objections regarding measurement, title and quantum of compensation within a stipulated period. In response to said notification, no objection was received from any one concerned.

PRINCIPLE OF COMPENSATION

This land is located in Village Laiter, located out of municipal limits and is being acquired for PMGSY road. The land coming under the acquisition is agriculture as well as non-agriculture in nature. As per report of Tehsildar/Pouni vide No. 360/Teh/P/OQ dated 7-11-2017, that in Village Laiter, the average sale deed rate for the last three year i. e. 2014 to 2017 comes to the tune of Rs. 92,942- per local kanal and recommended the present market rate to be Rs. 6.00 lacs per local kanal. The stamp duty rates for the year 2018-19 notified by the District Collector, Reasi vide No. DC/Rsi/17-18/1643-70/SQ dated 30-03-2018 of Village Laiter, Tehsil Pouni, District Reasi are Rs. 3.00 Lacs for irrigated, Rs. 2.90 lacs for unirrigated and Rs. 4.00 lacs for small plots, per local kanal.

Therefore, keeping in view the report of field staff, location of land under acquisition, notified stamp duty rates for the year of 2018-19 and other factors, this Collectorate proposed a uniform rate of Rs. 3.50 lacs per local kanal for land under instant acquisition for the determining the same in the Collectors meeting.

The instant case of the land acquisition was placed in the Collectors meeting headed by District Collector, Reasi held on 10-6-2019 and rate of land compensation proposed by this Collectorate was discussed threadbare. The committee of Collectors found the rate of land compensation proposed by the Collectorate to be reasonable and justifiable and unanimously determined a uniform rate of Rs. 3.50 lacs (Rupees three lacs and fifty thousand only) per local kanal irrespective of classification of kind of soil. The minutes of the said Collectors meeting has been communicated to this Collectorate vide No. DC/Rsi/19-20/386-94/SQ dated 15-6-2019. Thereafter, a revised draft award bearing No. Col/ACR/Rsi/19-20/197 dated 23-9-2019 was submitted to the District Collector, Reasi for the approval of rate of land compensation and sanction of awarded amount in the light of SRO-132 of 2019 dated 25-2-2019 The District Collector (Deputy Commissioner), Reasi vide No. DC/Rsi/19-20/1385-88/SQ dated 23-10-2019 accorded the approval of rate of land compensation and sanction of awarded amount.

Further, no structure has been reported to have come under the acquisition of land under instant acquisition.

Based on the rates of land compensation approved for the acquisition, the apportionment of land is as under 6

S. No.	Name of the Owner	Name of the Cultivator	Name of the Occupant	Khasra Nos.	Area	Kind of Soil	Rate Per Kanal	Land Compensation	Jabrana @ 15%	Total
1	2	3	4	5	6	7	8	9	10	11
								(in Rs.)		(9+10)
1.	Majaru S/o Reja Megh R/o Deh	Self-Cultivation	Majaru	696 min	00619 K. M.	W-I	@ 3.50 lacs, for unirrigated and unculturable	332500	49875	382375
2.	Smt. Sanketh Sharma, Ds/o Sunder Dass with 1/2 share in equal, Ravikant S/o Des Raj 1/2 share out of 1 share, Brij Lal, Balak Ram Ss/o Beli Ram with 2 share in equal out 1/2 share, Durga Dass, Surinder Kumar, Sham Lal Ss/o Devi Chand with 1/2 share in equal Brahamin R/o Deh	Self-Cultivation	Smt. Sanketh Sharma, Smt. Savet Sharma with 1/2 share in equal, Ravikant 1/2 share out of 1 share, Brij Lal, Durga Lal, Durga Dass, Dass, Surinder Kumar, Kumar, Sham Lal with 4 4/5 share in equalshare in co-sharers. equal co-sharers.	49 min	00613	W-I	Type of land, per local kanal	227500	34125	261625

Hence, the compensation worked out to be as under :—

• Compensation of 10 Kls 09 Mls, for unirrigated and unculturable type of land @ Rs. 3.50 lacs, per local kanal	=Rs. 36,57,500/-
Jabrana @ 15%	=Rs. 5,48,625/-
• Administrative charge @ 2%	=Rs. 73,150/-
Total	=Rs. 42,79,275/-

(Rupees forty two lacs seventy nine thousand two hundred and seventy five only)

The requisite certificates are recorded as under :

1. The land is needed for public purpose i. e. construction of PMGSY road from Danga to Mangahi at Village Laiter, Tehsil Pouni.
2. That the adequate funds on account of land compensation are available with this Collectorate.
3. That no compensation has been paid in respect of the land under acquisition earlier.
4. That the Shajra Khasra of the land has been authenticated by the Indenting Department as token of its correctness.
5. That the land compensation will be paid in accordance with the provisions of Agrarian Reforms Act, 1976.
6. The Shajra Khasra/Aks prepared in the instant case is in accordance with the spot position and field book.
7. That no evacuee property/Auqaf property/Dharmarth/Forest land is involved in the instant case of land acquisition.
8. It is also certified that the land compensation payable to the owners/interested persons as shown in the apportionment statement shall be tendered in accordance with the provisions of Agrarian Reforms Act, 1976 and guidelines given in the Circular issued by the Revenue Department under No. (LB)-10/80 dated 23-03-1980.

Therefore, I, Sanjay Kumar Badyal, KAS, Collector Land Acquisition (Assistant Commissioner, Revenue), Reasi, in exercise of powers vested in me under section 11 of J&K Land Acquisition Act, 1990 BK, hereby issue the final award for an amount of Rs. 42,79,275/- (Rupees forty two lacs seventy nine thousand two hundred and seventy five only) for the land

measuring 10 Kanals 09 Marlas in Village Laiter, for public purpose i. e.
•Construction of PMGSY road from Danga to Mangahi in Village Laiterö,
Tehsil Pouni, District Reasi.

(Sd.) SANJAY KUMAR BADYAL, KAS,

Collector, Land Acquisition

(Assistant Commissioner, Revenue),

Reasi.

ô ô ô

Notice

I, Roshan Ali S/o Mahmmad Hamid R/o K.T. Kharauli W. No. 5, Kamsara K.T. Bharauli Daraundha Siwan, Bihar A/P Gangyal, Jammu solemnly declare that the name of my father is written as Mohd Amid in my PAN Card and Mahmmad Hamid in my Aadhaar Card instead of his correct name as Mahmmad Hamid. Now, it needs to be corrected. Objections, if anybody have may be filed to the concerned authorities.

ô ô ô

Notice

My mother's name has wrongly been written as Dr. Shallu Jamwal instead of correct name Dr. Shallu Sharma in my school records studying in Class 9th-A at K.V. No. 2, Jammu Cantt. Now, I am applying for correction of name. Objection if anybody may be communicated to the concerned authorities within seven days from the date of the publication of this notification.

Akhilesh Singh Jamwal,

S/o Rajinder Singh Jamwal,

R/o 52/D, Patel Nagar,

Hazipura, Last Morh, Gandhi Nagar,

Jammu.

ô ô ô

Notice

I, Sukhdev Sharma S/o Sh. Gian Chand R/o Jandial, Tehsil Bhalwal, District Jammu do hereby declare that my name wrongly recorded in my Service document as Sukhdev, instead of correct name Sukhdev Sharma. Now, I am applying for correction. Objection, if any, may be conveyed to concerned authourity.

ô ô ô ô

Notice

I, Sukhjinder Singh S/o Santokh Singh R/o H. No. 56, Sector-2, Sanjay Nagar, Jammu have applied for correction of my name and parentage which has wrongly written as Sukhjinder Singh Chouhan S/o Chouhan Singh instead of Sukhjinder Singh S/o Santokh Singh in my PAN Card No. AQNPC4663C. Applying for correction. Objection, if any, may be conveyed to the concerned authority within 7 days.

ô ô ô ô

THE JAMMU AND KASHMIR STATE BOARD OF SCHOOL
EDUCATION, NEW CAMPUS, BEMINA, SRINAGAR.

Notice

The candidate whose particulars are mentioned below is claiming to have lost/gutted his Original and as well as Duplicate Qualification Certificate/s issued by J&K State Board of School Education, under serial Nos. 302 and 5144 respectively, with following particulars :ô

- | | |
|------------------|-------------------|
| 1. Name | Mohd Shafi Mir |
| 2. Parentage | Mohd Abdullah Mir |
| 3. Residence | Ram Bagh Balla |
| 4. Date of Birth | 22-04-1966 |
| 5. Roll No. | 16215 |
| 6. Session | 1981 November |
| 7. Result | Pass (398) |

Now, the candidate has applied for ô2nd Duplicate Qualification Certificateö. Before, the same is processed and provided to the concerned candidate, any person/s having any objections in this regard, may please file the same before the Secretary, BOSE or to the undersigned within a period of seven days from the date of issue of this notice.

Besides, the above referred ôboth Qualification Certificatesö be treated as cancelled.

(Sd.)

Assistant Secretary,
Certificates, K. Div.



THE

JAMMU & KASHMIR GOVERNMENT GAZETTE

Vol. 133] Jammu, Thu., the 22nd Oct., 2020/30th Asv., 1942. [No. 30
Separate paging is given to this part in order that it may be filed as a
separate compilation.

ADVERTISEMENTS—C

POLICE HEADQUARTER, JAMMU AND KASHMIR
(Provision Section)

e-NIT No. 43 of 2020

Dated 17-09-2020.

Online e-Tenders in two cover system (Technical and Financial Bid) are hereby invited from original manufacturers/authorized dealers having specific authorization from their original manufacturer/s to quote against this tender (as per format provided in Appendix-I for finalization of rate contract for supply of Stationery Items to J&K Police as detailed in Annexure-A to this NIT (as indicated in the detailed SBD and BoQs). The download of NIT shall start on 17-09-2020 at 1300 hours. Tenders shall be submitted online on J&K e-Procurement Portal www.jktenders.gov.in before 08-10-2020 up to 1600 hours. The samples shall be submitted at Police Central Store, Gandhi Nagar, Jammu before closing date of submission of e-Tender. Samples received after the prescribed date or time shall not be accepted.

68 The J&K Govt. Gazette, 22nd Oct., 2020/30th Asv., 1942. [No. 30
oo

The tenders (technical bids only) will be opened online on 10-10-2020 at 1100 hours at Police Headquarters, J&K, Jammu/Srinagar. In case of unforeseen circumstances, the date of opening will be next working day.

Detailed tender documents (SBD) with terms and conditions are available on J&K State e-Procurement Portal www.jktenders.gov.in.

(Sd.) RAYEES MOHAMMAD BHAT, IPS,

AIG (Provision/Transport)
For Director General of Police,
J&K, Srinagar.

رجسٹرڈ نمبر ہے کے۔33



सत्यमेव जयते

جموں و کشمیر گورنمنٹ گزٹ

جلد نمبر 133۔ جموں۔ مورخہ 22 اکتوبر 2020ء، بمطابق 30 اسیو 1942ء۔ ویر وار نمبر 30

اشتہارات

از عدالت سب جج سپیشل جوڈیشل موبائیل مجسٹریٹ پسنجر ٹیکس

شاپس اسٹیلشمنٹ ایکٹ جموں

سرکار بنام اعجاز احمد وغیرہ

پرچہ علت نمبر 76 سال 2013ء تھانہ پولیس نگروٹہ

بجرائم زیر دفعات RPC 188/

وارنٹ گشتی عام زیر دفعہ 512 ض ف

158۔ جٹوں و کشمیر گورنمنٹ گزٹ نمبر 30 مورخہ 22 اکتوبر 2020ء، بمطابق 30 سونا 1942۔ ضمیمہ ج

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر خلاف ملزم محمد ناظم ولد کالا خان ساکنہ کنس کساں تحصیل ضلع ریاسی۔

معاملہ مندرجہ عنوان الصدر میں ملزم کو بارہا بذریعہ وارنٹ گرفتاری بلا ضمانتی طلب کیا گیا ہے۔ الا ملزم کی دستیابی نہ ہوئی ہے اور وارنٹ ہذا پر تعمیل آئی ہے کہ ملزم مذکور یاں گھر سے فرار ہے اور روپوش ہو گیا ہے جس سے ملزم کی دستیابی بطریق آسانی مشکل ہے۔

لہذا ملزم کے خلاف کاروائی زیر دفعہ 512 ض ف بعمل لائی جا کر اہلکاران پولیس جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم متذکرہ بالا جہاں کہیں بھی اندر حدود جموں و کشمیر دستیاب ہوں تو فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔ وارنٹ ہذا تا دستیابی ملزم زیر کار رہے گا۔ تحریر

سرکار بنام دویندر سنگھ وغیرہ

پرچہ علت نمبر 14 سال 2006ء تھانہ پولیس پیر مٹھا

بجرائم زیر دفعات RPC 379/201

وارنٹ گشتی عام زیر دفعہ 512 ض ف

حکم بنام : اہلکاران پولیس ریاست جموں و کشمیر خلاف ملزم دویندر سنگھ ولد کلدیپ سنگھ قوم راجپوت ساکنہ بٹیرہ تحصیل ضلع جموں۔

معاملہ مندرجہ عنوان الصدر میں ملزم کو بارہا بذریعہ وارنٹ گرفتاری بلا ضمانتی طلب کیا گیا ہے۔ الا ملزم کی دستیابی نہ ہوئی ہے اور وارنٹ ہذا پر تعمیل آئی ہے کہ ملزم

ضمیمہ ج۔ جموں و کشمیر گورنمنٹ گزٹ نمبر 30 مورخہ 22 اکتوبر 2020ء بمطابق 30 سونہ 1942-159
مذکور گھر سے فرار ہے اور روپوش ہو گیا ہے جس سے ملزم کی دستیابی بطریق آسانی
مشکل ہے۔

لہذا ملزم کے خلاف کاروائی زیر دفعہ 512 ض ف بعمل لائی جا کر
اہلکاران پولیس جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم متذکرہ بالا جہاں کہیں بھی
اندر حدود جموں و کشمیر دستیاب ہو تو فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔
وارنٹ ہذا تا دستیابی ملزم زیر کار رہے گا۔ تحریر

سرکار بنام فیض احمد وغیرہ

پرچہ علت نمبر 89 سال 2006ء تھانہ پولیس جانی پورہ

بجرائم زیر دفعات RPC 379/411/201

وارنٹ گشتی عام زیر دفعہ 512 ض ف

بخلاف ملزم: فیض احمد عرف پیو ولد غلام محمد وانی ساکنہ مکان نمبر 218 محلہ گجراں
جانی پورہ جموں۔

بنام اہلکاران پولیس ریاست جموں و کشمیر

معاملہ مندرجہ عنوان الصدر میں ملزم کو بارہا بذریعہ وارنٹ گرفتاری بلاضمانتی
طلب کیا گیا ہے۔ الا ملزم کی دستیابی نہ ہوئی ہے اور وارنٹ ہذا پر تعمیل آئی ہے کہ ملزم
مذکور گھر سے فرار ہے اور روپوش ہو گیا ہے جس سے ملزم کی دستیابی بطریق آسانی
مشکل ہے۔

لہذا ملزم کے خلاف کاروائی زیر دفعہ 512 ض ف بعمل لائی جا کر
اہلکاران پولیس جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم متذکرہ بالا جہاں کہیں بھی

160۔ جموں و کشمیر گورنمنٹ گزٹ نمبر 30 مورخہ 22 اکتوبر 2020ء بمطابق 30 اداون 1942۔ ضمیمہ ج

اندر حدود جموں کشمیر دستیاب ہوں تو فوراً گرفتار کر کے عدالت ہذا میں پیش کریں۔ وارنٹ ہذا تا دستیابی ملزم زیر کار رہے گا۔ تحریر

دستخط : سب جج سپیشل جوڈیشل مجسٹریٹ پسنجر ٹیکس

شاپس اینڈ اسٹیبلشمنٹ ایکٹ جموں

از عدالت سٹی جج جوڈیشل مجسٹریٹ درجہ اول سرینگر

سرکار بنام ریاض احمد وغیرہ

پرچہ علت نمبر 39 سال 2005ء تھانہ پولیس کرن نگر

بجرم زیر دفعات 4, 5, 7 PITA, 120-B RPC u/s

وارنٹ گشتی عام زیر دفعہ 512 ض ف

بخلاف ملزمہ : مسما ت سلیمہ زوجہ عبدالرشید حجام ساکنہ خان صاحب بڈگام
حال جبہ کدل سرینگر ملزم نمبر 6

مقدمہ مندرجہ عنوان الصدر میں ملزم متذکرہ صدر عرصہ دراز سے غیر حاضر چلا آ رہا ہے اُس کو بار بار بطریق معمول طلب کیا گیا ہے۔ الا تا ہنوز دستیاب نہ ہوا تعمیل کنندہ نے اپنے رپورٹ میں تحریری طور اظہار کیا کہ ملزم مذکور کا کوئی اتہ پتہ نہ ہے اور اُسکی دستیابی ناممکن ہے۔

پبلک پراسکیوٹر نے اپنے بیان میں سر اجلاس اظہار کیا کہ ملزم مذکور مفروضہ ہے۔ اس طور عدالت ہذا کو اطمینان ہوا ہے کہ ملزم کو بطریق معمول طلب کرنا ناممکن ہے۔ لہذا حکم ہوا کہ ملزم متذکرہ صدر اندر حدود ریاست جموں و کشمیر جہاں کہیں بھی دستیاب ہو اُسے گرفتار کر کے عدالت ہذا میں پیش کریں۔ درج رہے کہ وارنٹ ہذا تا دستیابی ملزم زیر کار رہے گی تحریر الصدر

دستخط : سب رجسٹرار سٹی جج سرینگر

EXTRAORDINARY

REGD. NO. JKô 33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 132] Jammu, Wed., the 25th Sept., 2019/3rd Asv., 1941. [No. 25-d

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART I—B

Jammu and Kashmir Government—Notifications.

ô ô ô ó

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIATôôHOME DEPARTMENT

Notification

Srinagar, the 25th September, 2019.

SRO-542.ôôWhereas, on 02-10-2018, Police Station, D. H. Pora received an information through reliable sources to the effect that some persons affiliated with HM outfit namely, 01. Gawhar Ahmad Itoo S/o Ab. Hamid Itoo R/o Gopalpora, 02. Umair Ahmad Rather

accused No. 02 and 04 Umair Ahmad Rather and Shakir Ahmad Wani are indulging in unlawful activities by provoking the people against the sovereignty and integrity of India resulting in breach of law and order ; and

4. Whereas, evidence collected has *prima facie* established a case punishable under sections 13, 18, 19, 38, 39 of UAP Act against accused 1. Gowhar Ahmad Itoo S/o Ab. Hamid Itoo R/o Gopalpora under section 13(2) of UAP Act against accused 02 Umair Ahmad Rather S/o Mushtaq Ahmad Rather R/o Gopalpora and 4. Shakir Ahmad Wani S/o Gh. Mohammad R/o Banimulla under sections 13, 18, 38, 39 of UAP Act against accused 3. Shahnawaz Ahmad Dar S/o Ab. Gani Dar R/o Modergam, Kulgam, 5. Gulzar Ahmad Ganie S/o Ali Mohd Ganie R/o Areeh, Kulgam, 6. Yawar Nabi Ganie S/o Gh. Mohammad Ganie R/o Gopalpora, 7. Abid Hussain Bhat S/o Ab. Ahad Bhat R/o Gopalpora and 8. Suhail Yousuf Bhat S/o Lt. Mohammad Yousuf Bhat R/o Waripora, D. H. Pora and under sections 13, 18, 39 against accused 9 and 10 Umer Majeed Ganie S/o Ab. Majeed Ganie R/o Shuch and Shiraz Ahmad Lone S/o Ab. Rashid Lone R/o Shuch and investigation of case concluded as proved. It is further submitted that accused 9. Umar Majeed Ganie has been recently killed in an encounter as per copy of FIR placed on record and accused 10. Shreeraz Ahmad is an active militant against whom proceedings under section 512 Cr. P. C. have been proposed ; and

5. Whereas, the Authority appointed by the State Government under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, has independently scrutinized the Case Diary file and all the other relevant documents relating to the case and has come to a definite conclusion that this is a fit case for accord of prosecution sanction against the said accused persons ; and

6. Whereas, after perusing the Case Diary, the relevant documents and also taking into consideration the observations/views of the Authority appointed under sub-section (2) of section 45 of the Unlawful Activities (Prevention) Act, 1967, the State Government is of the view that there

S. No.	Name of accused person	Under sections
1	2	3
1.	Gowhar Ahmad Itoo S/o Ab. Hamid Itoo R/o Gopaloor	13, 18, 19, 38, 39 of UAP Act, 1967
2.	Umair Ahmad Rather S/o Mushtaq Ahmad Rather R/o Gopaloor.	13(2) of UAP Act
3.	Shakir Ahmad Wani S/o Gh. Mohammad R/o Banimulla	13(2) of UAP Act, 1967
4.	Shahnawaz Ahmad Dar S/o Ab. Gani Dar R/o Modergam, Kulgam	13, 18, 38 and 39 of UAP Act, 1967
5.	Gulzar Ahmad Ganie S/o Ali Mohd Ganie R/o Areeh, Kulgam	
6.	Yawar Nabi Ganie S/o Gh. Mohammad Ganie R/o Gopalpora	
7.	Abid Hussain Bhat S/o Ab. Ahad Bhat R/o Gopalpora	
8.	Suhail Yousuf Bhat S/o Lt. Mohammad Yousuf Bhat R/o Waripora, D. H. Pora	

No. 25-d] The J&K Govt. Gazette, 25th Sept., 2019/3rd Asy., 1941. 5
ô ô

1

2

3

ô ô

9. Shiraz Ahmad Lone S/o Ab. 13, 18 and 39 of UAP
Rashid Lone R/o Shuch Act, 1967
(Active Militant)

By order of the Government of Jammu and Kashmir.

(Sd.)

Principal Secretary to the Government,
Home Department.



Vol. 132] Jammu, Fri., the 25th Oct., 1919/3rd Kart., 1941. [No. 30-ao

oo

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT66TECHNICAL EDUCATION
DEPARTMENT

Srinagar, 25th October, 2019.

SRO-742. In exercise of the powers conferred by provision to Article 309 of the Constitution of India, the Governor is pleased to direct that the cadre of Jammu and Kashmir Technical Education (Subordinate)

Service for the Union Territory of Jammu and Kashmir upon exclusion of the posts of Union Territory of Ladakh, shall comprise the posts as indicated in Schedule-I to this notification, subject to any modifications as may be necessary.

This shall come into force with immediate effect.

By order of the Governor.

(Sd.) ZUBAIR AHMAD, KAS,

Secretary to the Government,
Technical Education Department.

ô ô ô

1. PHE Sub Division Leh 01 Level-10A (56600-179800) UT Ladakh

2. PHE Sub Division Khaltsi	01	Level-10A (56600-179800) UT Ladakh
3. PHE Sub Division Khru	01	Level-10A (56600-179800) UT Ladakh
4. PHE Sub Division Nubra	01	Level-10A (56600-179800) UT Ladakh
	ô ô	
Total	04	
	ô ô	

I&FC Division Leh

1. Technical Officer to Executive Engineer	01	Level-10A (56600-179800) UT Ladakh
2. I&FC Sub division Leh	01	Level-10A (56600-179800) UT Ladakh
3. I&FC Sub division Durbuk	01	Level-10A (56600-179800) UT Ladakh
4. I&FC Sub division Nubra	01	Level-10A (56600-179800) UT Ladakh
5. I&FC Sub division Khaltsi	01	Level-10A (56600-179800) UT Ladakh
	ô ô	
Total	05	
	ô ô	

Igo Phey Sub Division Leh 04

Total Hydraulic Wing Leh 13

PHE Division Kargil

1. Technical Officer to Executive Engineer	01	Level-10A (56600-179800)
2. Leh PHE Sub Division	01	Level-10A (56600-179800)
3. Right PHE Sub Division	01	Level-10A (56600-179800)
	ô ô	
Total	03	
	ô ô	

1. Technical Officer to Superintending Engineer, PWD Circle Kargil	01	UT Ladakh
---	----	-----------

Irrigation Division Kargil

1. Technical Officer to Executive Engineer	01	Level-10A (56600-179800) UT Ladakh
---	----	------------------------------------

2. Leh Irrigation Sub Div.	01	Level-10A (56600-179800)	UT Ladakh
3. Right Irrigation Sub Div.	01	Level-10A (56600-179800)	UT Ladakh
	ô ô		
Total	03		
	ô ô		
PWD Division Zanskar	01	Level-10A (56600-179800)	UT Ladakh
1. AEE Special Sub Division Zanskar-1			
Total Hydraulic Wing Kargil	08		UT Ladakh
Newly created for Ladakh Division	01	Level-10A (56600-179800)	UT Ladakh
Grand Total for	22		UT Ladakh
Assistant Engineer (Civil)			
PHE Division Leh			
1. PHE Sub Division Leh	01	Level-8A (50700-160600)	UT Ladakh
2. PHE Sub Division Khaltsi	01	Level-8A (50700-160600)	UT Ladakh
3. PHE Sub Division Khru	01	Level-8A (50700-160600)	UT Ladakh
	ô ô		
Total	03		
	ô ô		
I&FC Division Leh			
1. I&FC Sub Division Leh	01	Level-8A (50700-160600)	UT Ladakh
2. I&FC Sub Division Durbuk	01	Level-8A (50700-160600)	UT Ladakh
3. I&FC Sub Division Khaltsi	01	Level-8A (50700-160600)	UT Ladakh
	ô ô		
Total	03		
	ô ô		
Igo Phey Sub Division Leh	03	Level-8A (50700-160600)	UT Ladakh
Total Hydraulic Wing Leh	09		

PHE Division Kargil

1. Left PHE Sub Div.	01	Level-8A (50700-160600)	UT Ladakh
2. Right PHE Sub Div.	01	Level-8A (50700-160600)	UT Ladakh
	ô ô		
Total	02		
	ô ô		

Irrigation Division Kargil

1. Left PHE Sub Div.	01	Level-8A (50700-160600)	UT Ladakh
2. Right PHE Sub Div.	01	Level-8A (50700-160600)	UT Ladakh
	ô ô		
Total	02		
	ô ô		

Special Sub Divisional Zaskar 01

1. Special Sub Divisional Zaskar	01	Level-8A (50700-160600)	UT Ladakh
Total Hydraulic Wing Kargil	05		

New created for Ladakh Division 01 Level-8A (50700-160600) UT Ladakh

Grand Total for UT Ladakh 15

(Sd.) AJEET KUMAR SAHU, IAS,
Commissioner/Secretary to Government,
PHE, I&FC Department.

EXTRAORDINARY

REGD. NO. JK 33



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 132] Jammu, Fri., the 25th Oct., 2019/3rd Kart., 1941. [No. 30-ae

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART I-B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR

CIVIL SECRETARIAT PHE, I&FC DEPARTMENT

Notification

Srinagar, 25th October, 2019.

SRO-757. In exercise of the powers conferred by proviso to Article 309 of the Constitution of India, the Governor is pleased to direct that the cadre of the [Jammu and Kashmir (Subordinate/Non-Gazetted) Service of Public Health Engineering/Irrigation and Flood Control

2 The J&K Govt. Gazette, 25th Oct., 2019/3rd Kart., 1941. [No. 30-aae

Department] for the Union Territory of Ladakh, shall comprise the posts as indicated in Schedule-I to this notification, subject any modifications as may be necessary.

This shall come into force with immediate effect.

By order of the Governor.

(Sd.) AJEET KUMAR SAHU, IAS,
Commissioner/Secretary to Government,
PHE, I&FC Department.

ô ô ô

Schedule-I to SRO-757 for UT Ladakh

S. No.	Name of the Post	Number of Post	Pay Band/Scale of the Post with Grade Pay	Cadre (UT/Divisional/District)
1	2	3	4	5
1.	Assistant Accounts Officer	6	L-7/44900-142400	UT
2.	Statistical Officer	2	L-7/44900-142400	Divisional
3.	Section Officer	2	L-7/44900-142400	
4.	Junior Engineer (Civil/Mech.)	61	L-6/35400-112400	
5.	Junior Engineer (Electrical)	1	L-6/35400-112400	
6.	Senior Stenographer	1	L-7/44900-142400	
7.	Junior Stenographer	1	L-4/25500-81100	
8.	Accountant	2	L-6/35600-112800	
9.	Head Draftsman	7	L-6/35900-113500	
10.	Sr. Draftsman	2	L-4/25500-81100	
11.	Sr. Draftsman (Civil/Mech.)	45	L-4/25500-81100	
12.	Head Assistant	7	L-6/35400-112400	District
13.	Statistical Assistant	2	L-6/35400-112400	
14.	Sr. Assistant	20	L-5/29200-92300	
15.	Patwari	8	L-4/25500-81100	
16.	Driver	12	L-4/25500-81100	
17.	Chauffeur	1	L-6/35400-112400	
18.	Cleaner	10	L-1/14800-47100	

Commissioner/Secretary to Government,
PHE/I&FC Department.



Vol. 132] Jammu, Wed., the 25th Sept., 1919/3rd Asv., 1941. [No. 25-16

Separate paging is given to this part in order that it may be filed as a separate compilation.

Laws, Regulations and Rules passed thereunder.

Ô Ô Ô Ó

JAMMU AND KASHMIR GOVERNMENT,
MUNICIPAL COMMITTEE, BANIHAL,
SOLID WASTE MANAGEMENT BYE-LAWS, 2019.

Notification

Banihal, the 25th of September, 2019.

In exercise of the powers conferred by clause (9) of rule 3 read with clauses (e), (f), (zf) and (zg) of rule 15 of the Solid Waste Management Rules, 2016, the Authority hereby make the following bye-laws ; namely :ô

Chapter I

1. *Short title and commencement.* (1) These bye-laws shall be called the Municipal Committee, Banihal, Solid Waste Management Bye-Laws, 2019.

(2) They shall come into force on the date of their publication in the J&K Government Gazette.

- (1) **“Agency”** means Municipal Committee, Banihal ;
- (2) **“Aerobic composting”** means a controlled process involving microbial decomposition of organic matter in the presence of oxygen ;
- (3) **“Anaerobic digestion”** means a controlled process involving microbial decomposition of organic matter in the absence of oxygen ;
- (4) **“Authorization”** means the permission given by the State Pollution Control Board, to the operator of a facility or Urban Local authority, or any other agency responsible for processing and disposal of solid waste ;
- (5) **“Biodegradable waste”** means any organic material that can be degraded by micro-organism into simpler stable compounds ;
- (6) **“Bio-methanation”** means a process which entails enzymatic decomposition of the organic matter by microbial action to produce methane rich biogas ;
- (7) **“Brand owner”** means a person or company who sells any commodity under a registered brand label ;
- (8) **“Bulk Garden and Parks & Horticultural Waste”** means bulk waste from parks, gardens etc. including grass clippings, weeds, woody brown carbon-rich material such as branches, twigs, wood chipping, straw, dead leaves, tree trimmings, etc. which cannot be accommodated in the daily collection system for bio-degradable waste ;

No. 25-16] The J&K Govt. Gazette, 25th Sept., 2019/3rd Asv., 1941. 3
oo

- (9) **“Bulk Waste Generator”** means bulk waste generator defined under Rule 3(1)(8) of the Solid Waste Management Rules, 2016 (hereinafter referred to as “SWM Rules”) and any other waste generator including buildings occupied by the Central Government departments or undertakings, State Government departments or undertaking, Local bodies, public sector undertakings or private companies, hospitals, nursing homes, schools, colleges, universities, other educational institutions, hostels, hotels, commercial establishments, markets, places of worship, stadia and sport complexes having an average waste generation rate exceeding 100 Kg. per day ;
- (10) **“C&D waste (Construction and Demolition waste)”** means Construction and Demolition Waste (Debris) that are non-hazardous in nature generated out of building materials, debris and rubble in the jurisdiction of Municipal Committee, Banihal.
- (11) **“Clean Area”** means the public place in front of and all around or adjacent to any premises extending to the kerb side and including the drain, foot path and kerb cleaned and so maintained in accordance with these bye-laws ;
- (12) **“Cleanliness Fee”** means an amount of fees collected by the managers/Organizers for cleaning the site by the Agency ;
- (13) **“Collection”** means lifting and removal of solid waste from source of waste generation, collection points or any other location ;
- (14) **“Collection Counter”** means where the user charges shall be remitted which will be available at all Zonal Officers and headquarters.
- (15) **“Combustible waste”** means non-biodegradable, non-recyclable, non-reusable, non-hazardous solid waste having minimum calorific value exceeding 1500 kcal/kg and excluding chlorinated materials like plastic, wood pulp, etc.;

4 The J&K Govt. Gazette, 25th Sept., 2019/3rd Asv., 1941. [No. 25-16
oo

- (16) **“Community waste storage bin”** means any storage facility setup and maintained by the Municipal Committee, Banihal in the State collectively by owners and or/occupiers of one or more premises for storage of Municipal Solid Waste in a segregated manner in the road side/premises of anyone of such owners/occupiers or in their common premises ;
- (17) **“Composting”** means a controlled process involving microbial decomposition of organic matter ;
- (18) **“Co-processing”** means use of non-biodegradable and non-recyclable solid waste having calorific value exceeding 1500k/cal as raw material or as a source of energy or both to replace or supplement the natural mineral resources and fossil fuels in industrial processes ;
- (19) **“Containerised Hand Cart”** means the hand cart provided by the Municipal Committee, Banihal, or the agency/agent appointed by it for point-to-point collection of solid waste ;
- (20) **“Decentralized processing”** means establishment of dispersed facilities for maximizing the processing of biodegradable waste and recovery of recyclables closest to the source of generation so as to minimize transportation of waste for processing or disposal ;
- (21) **“Delivery”** means handing over any category of solid waste to worker of Municipal Committee, Banihal or any other person appointed, authorised or licensed by Municipal Committee, Banihal for taking delivery of such waste or depositing it in any vehicle provided by Municipal Committee, Banihal, or by any other authorised agency or licensed by Municipal Committee, Banihal, to do so ;
- (22) **“Disposal”** means the final and safe disposal of post processed residual solid waste and inert street sweepings and silt from surface drains on land to prevent contamination of ground water, surface water, ambient air and attraction of animals or birds ;

No. 25-16] The J&K Govt. Gazette, 25th Sept., 2019/3rd Asv., 1941. 5
oo

- (23) **“Domestic hazardous waste”** means discarded paint drums, pesticide cans, CFL bulbs, tube lights, expired medicines, broken mercury thermometers, used batteries, used needles and syringes and contaminated gauge, etc., generated at the household level ;
- (24) **“Door to door collection”** means collection of solid waste from the door step of households, shops, commercial establishments, offices, institutional or any other non-residential premises and includes collection of such waste from entry gate or a designated location on the ground floor in a housing society, multistoried building or apartments, large residential, commercial or institutional complex or premises ;
- (25) **“Dry waste”** means waste other than bio-degradable waste and inert street sweepings and includes recyclable and non recyclable waste, combustible waste and sanitary napkin and diapers, etc. ;
- (26) **“Dump sites”** means a land utilized by local body for disposal of solid waste without following the principles of sanitary land filling ;
- (27) **“Event”** means any gatherings for the purpose of functions, celebrations, meetings, rallies, processions, open air theatre activities, cinema shootings in public places.
- (28) **“Extended producer responsibility”** (EPR) means responsibility of any producer of packaging products such as plastic, tin, glass, wrappers and corrugated boxes, etc., for environmentally sound management, till end-of-life of the packaging products ;
- (29) **“E-waste”** shall have the same meaning as defined under Rule 3(l) (r) of the E-Waste (Management) Rules, 2016.
- (30) **“Facility”** means any establishment wherein the solid waste management processes namely segregation, recovery, storage, collection, recycling, processing, treatment or safe disposal are carried out ;

6 The J&K Govt. Gazette, 25th Sept., 2019/3rd Asv., 1941. [No. 25-16
oo

- (31) **“Familiarization/warning period”** means that specific period, during which there is a relaxation in the fines for contravention of these bye-laws ;
- (32) **“Fine”** means penalty imposed on waste generators or operators of waste processing and disposal facilities under the bye-laws for non- compliance of the directions contained in rules and/or these bye-laws ;
- (33) **“Fixed Compactor Transfer Station (FCTS)”** means a powered machine which is designed to compact segregated solid waste and remains stationary when in operation. The compacts or may also be mobile when in operation, which may be called Mobile Transfer Station (MTS) ;
- (34) **“Handling”** includes all activities relating to sorting, segregation, material recovery, collection, secondary storage, shredding, baling, crushing, loading, unloading, transportation, processing and disposal of solid wastes ;
- (35) **“Hazardous waste”** means any waste which by reason of any of its physical, chemical, reactive, toxic, causing danger or is likely to cause danger to health or environment, whether alone or when in contact with other wastes or substances and all other hazardous wastes as defined in the Hazardous Wastes (Management and Handling) Rules, 1989 as amended to date and the Hazardous and other waste (Management and Transboundary Movement) Rules, 2016 ;
- (36) **“Horticulture, Parks and Garden Waste”** means waste from parks, gardens traffic island etc. These include grass clipping, annual weeds woody 'brown' carbon-rich material such as branches, twigs, wood chipping, straw, dead leaves, tree trimmings, etc. which cannot be accommodated in the daily collection system for bio-degradable waste ;
- (37) **“House-gully”** means a passage or strip of land, constructed, set apart or utilized for the purpose of serving as or carrying a drain or affording access to the latrine, urinal, cesspool or other receptacle for filling of other polluted

matter by persons employed in the clearing thereof or in the removal of such matter therefrom.

- (38) **“Incineration”** means an engineered process involving burning or combustion of solid waste to thermally degraded waste materials at high temperatures ;
- (39) **“Inerts”** means wastes which are not bio-degradable, recyclable or combustible street sweeping or dust and silt removed from the surface drains ;
- (40) **“Informal waste collector”** includes individuals, associations or waste traders who are involved in sorting, sale and purchase of recyclable materials ;
- (41) **“Leachate”** means the liquid that seeps through solid waste or other medium and has extracts of dissolved or suspended material from it ;
- (42) **“Litter”** means all refuse and includes any other waste material which, if thrown or deposited as prohibited under these Bye-Laws, tends to create uncleanness or a danger or nuisance to public health, safety or welfare ;
- (43) **“Littering”** means putting litter in such a location that it falls, descends, blows, is washed, percolates or otherwise escapes or is likely to fall, descend blow, be washed, percolate or otherwise escape into or onto any public place, or causing, permitting or allowing litter to fall, descend, blow, washed, percolate or otherwise escape into or onto any public place ;
- (44) **“Local body”** for the purpose of these bye-laws means JMC/SMC and other Local Bodies including Municipal Councils, Municipal Committees, Town Area Committees, in the State ;
- (45) **“Materials Recovery facility”** (MRF) means a facility where non-compostable solid waste can be temporarily stored

8 The J&K Govt. Gazette, 25th Sept., 2019/3rd Asv., 1941. [No. 25-16
oo

by the local body or any other entity or any person or agency authorised by any of them to facilitate segregation, sorting and recovery of recyclables from various components of waste by authorised informal sector of waste pickers, informal recyclers or any other work force engaged by the local body or entity for the purpose before the waste is delivered or taken up for its processing or disposal ;

- (46) **“Neighbourhood”** means a clearly defined locality, with reference to its physical layout, character or inhabitants ;
- (47) **“New construction”** means all buildings under construction within the limits of the Municipal Committee, Banihal ;
- (48) **“Non-biodegradable waste”** means any waste that cannot be degraded by microorganisms into simpler stable compounds ;
- (49) **“Nuisance”** includes any act, omission, place or thing which comes or is likely to cause injury, danger, annoyance or offence to the sense of sight, smelling or hearing or which is or may be dangerous to life or injurious to health or property ;
- (50) **“Nuisance Detectors”** (NOs) means those employees of the Municipal Committee, Banihal who are appointed to detect the acts of Public nuisance, etc. ;
- (51) **“Occupier/occupant”** includes any person who for the time being is in occupation of, or otherwise using, any land or building or part thereof, for any purpose whatsoever ;
- (52) **“Operator of a facility”** means a person or entity, who owns or operates a facility for handling solid waste which includes the Municipal Committee, Banihal and any other entity or agency appointed by the Municipal Committee, Banihal ;
- (53) **“Owner”** means any person who exercises the rights of an owner of any building, or land or part thereof ;

No. 25-16] The J&K Govt. Gazette, 25th Sept., 2019/3rd Asv., 1941. 9
oo

- (54) **“Pelletisation”** means a process whereby pellets are prepared which are small cubes or cylindrical pieces made out of solid waste and includes, fuel pellets which are also referred as refuse derived fuel ;
- (55) **“Primary collection”** means collecting, lifting and removal of segregated solid waste from source of its generation including households, shops, offices and any other non-residential premises or from any collection points or any other location specified by the Municipal Committee, Banihal.
- (56) **“Processing”** means any scientific process by which segregated solid waste is handled for the purpose of reuse, recycling or transformation into new products ;
- (57) **“Public place”** includes any road, arch road, viaduct, lane, footway, alley or passage, highway, causeway, bridge, square alley or passage whether a thoroughfare or not over which the public have a right of passage, and such places to which the public has access such as parks, gardens, recreation grounds, playgrounds, beaches, water bodies, water courses, public plazas and promenades, government and municipal buildings, public hospitals, markets, slaughter houses, courts, etc. ;
- (58) **“Prescribed”** means prescribed by SWM Rules and/or these bye-laws ;
- (59) **“Receptacle”** means any storage container, including bins and bags, used for the storage of any category of MSW ;
- (60) **“Recycling”** means the process of transforming segregated non-biodegradable solid waste into new material or product or as raw material for producing new products which mayor may not be similar to the original products ;
- (61) **“Recyclable Waste”** means the waste that is commonly found in the MSW. It is also called as "Dry Waste". These include many kinds of glass, paper, metal, plastic, textiles, electronics goods, etc.

10 The J&K Govt. Gazette, 25th Sept., 2019/3rd Asv., 1941. [No. 25-16
oo

- (62) **“Redevelopment”** means rebuilding of old residential or commercial buildings at the same site, where the existing buildings and other infrastructures have become dilapidated ;
- (63) **“Refuse”** means any waste matter generated out of different activities, processes, either Bio-degradable/Non-biodegradable/recyclable in nature in either solid or semi-solid form which cannot be consumed, used or processed by the generator in its existing form.
- (64) **“Refuse Derived Fuel” (RDF)** means fuel derived from combustible waste fraction of solid waste like plastic, wood, pulp or organic waste, other than chlorinated materials, in the form of pellets or fluff produced by drying, shredding, dehydrating and compacting of solid waste ;
- (65) **“Residual solid waste”** means and includes the waste and rejects from the solid waste processing facilities which are not suitable for recycling or further processing ;
- (66) **“Rule”** means Solid Waste Management Rules, 2016 ;
- (67) **“Sanitation”** means the promotion of hygiene and the prevention of disease and other consequences of ill health relating to environmental factors ;
- (68) **“Sanitary Landfill Facility”** means a waste disposal site for the deposit of residual solid waste in a facility designed with protective measures against pollution of ground water, surface water and air fugitive dust, wind-blown litter, bad odour, fire hazard, bird menace, pests or rodents, greenhouse gas emissions, slope instability and erosion ;
- (69) **“Sanitary land filling”** means the final and safe disposal of residual solid waste and inert wastes on land in a facility designed with protective measures against pollution of ground water, surface water and fugitive air dust, wind-blown litter,

bad odour, fire hazard, animal menace, bird menace, pests or rodents, greenhouse gas emissions, persistent organic pollutants slope instability and erosion ;

- (70) **“Sanitary waste”** means wastes comprising of used diapers, sanitary towels or napkins, tampons, condoms, incontinence sheets and any other similar waste ;
- (71) **“Sanitary worker”** means a person employed by the municipal corporation, Municipal Council, Municipal Committee for collecting or removing MSW or cleansing the drains in the municipal/corporation areas ;
- (72) **“Schedule”** means the Schedule appended to these rules ;
- (73) **“Storage”** means the temporary containment of solid waste in a manner so as to prevent littering, attraction to vectors, stray animals and excessive foul odour ;
- (74) **“Secondary storage”** means the temporary containment of solid waste after collection at secondary waste storage depots or MRFs or bins for onward transportation of the waste to the processing or disposal facility ;
- (75) **“Segregation”** means sorting and separate storage of various components of solid waste namely biodegradable wastes including agriculture and dairy waste, non biodegradable wastes including recyclable waste, non-recyclable combustible waste, sanitary waste and non recyclable inert waste, domestic hazardous wastes, and construction and demolition wastes ;
- (76) **“Service provider”** means an authority providing public utility services like water, sewerage, electricity, telephone, roads, drainage, etc. ;
- (77) **“Solid waste”** means and includes solid or semi-solid domestic waste, sanitary waste, commercial waste, institutional waste, catering and market waste and other non-residential wastes, street sweepings, silt removed or

12 The J&K Govt. Gazette, 25th Sept., 2019/3rd Asv., 1941. [No. 25-16
oo

collected from the surface drains, horticulture waste, agriculture and dairy waste, treated bio-medical waste, Hazardous waste excluding industrial waste, bio-medical waste and e-waste, battery waste, radio-active waste generated in the area under the local authorities and other entities ;

(78) **“Sorting”** means separating various components and categories of recyclables such as paper, plastic, cardboards, metal, glass, etc., from mixed waste as may be appropriate to facilitate recycling ;

(79) **“Source”** means the premises in which the waste is generated or a community storage centre used by owners/occupiers of one or more premises for segregated storage of MSW ;

(80) **“Spittoon”** means a metal or earthenware pot typically having a funnel-shaped top, used for spitting into.

(81) **“Stabilising”** means the biological decomposition of biodegradable wastes to a stable state where it generates no leachate or offensive odours and is fit for application to farm land, soil erosion control and soil remediation ;

(82) **“Stabilised biodegradable waste”** means the biologically stabilized (free of pathogens) waste resulting from the mechanical/biological treatment of bio degradable waste ; only when stabilised can such waste be used with no further restrictions ;

(83) **“Street vendor”** means any person engaged in vending of articles, goods, wares, food items or merchandise of everyday use or offering services to the general public, in a street, lane, side walk, footpath, pavement, public park or any other public place or private area, from a temporary built up structure or by moving from place to place and includes hawker, peddler, squatter and all other synonymous terms which may be local or region specific; and the words “street

vendingo with their grammatical variations and cognate expressions, shall be construed accordingly ;

- (84) **“Tipping fee”** means a fee or support price determined by the local authorities or any state agency authorised by the State government to be paid to the concessionaire or operator of waste processing facility or for disposal of residual solid waste at the landfill ;
- (85) **“Transportation”** means conveyance of solid waste, either treated, partly treated or untreated from a location to another location in an environmentally sound manner through specially designed and covered transport system so as to prevent the foul odour, littering and unsightly conditions ;
- (86) **“Transfer station”** means a facility created to receive solid waste from collection areas and transport in bulk in covered vehicles or containers to waste processing and, or, disposal facilities ;
- (87) **“Treatment”** means the method, technique or process designed to modify physical, chemical or biological characteristics or composition of any waste so as to reduce its volume and potential to cause harm ;
- (88) **“User fee/Charges”** means fees or charges imposed by Municipal Committee, Banihal through general or special order of the Competent Authority from time-to-time, on the waste generator to cover full or part cost of providing solid waste collection, transportation, processing and disposal services ;
- (89) **“Vacant Plot”** means any Land or open space belonging to a private party/person that is not occupied by them/him ;
- (90) **“Vermi composting”** means the process of conversion of bio-degradable waste into compost using earth worms ;
- (91) **“Waste hierarchy”** means the priority order in which the solid waste is to be managed by giving emphasis to prevention, reduction reuse, recycling, recovery and disposal,

14 The J&K Govt. Gazette, 25th Sept., 2019/3rd Asv., 1941. [No. 25-16
with prevention being the most preferred option and the
disposal at the landfill being the least.

- (92) **“Waste generator”** means and includes every person or group of persons, every residential premises and non-residential establishments including Indian Railways, defence establishments, which generate solid waste or other institutions i. e. Hotels, restaurants, malls, private/government business/ industrial establishments falling within the limits of Municipal Committee, Banihal.
- (93) **“Waste picker”** means a person or groups of persons informally engaged in collection and recovery of reusable and recyclable solid waste from the source of waste generation, streets, bins, material recovery facilities, processing and waste disposal facilities for sale to recyclers directly or through intermediaries to earn their livelihood.

Chapter II

Segregation and Primary Storage of Solid Waste

4. *Segregation and storage of solid waste at source.*

(1) It shall be necessary for all waste generators to separate and store the solid waste coming out of their own places regularly into three streams namely :

- (a) non-biodegradable or dry waste ;
- (b) biodegradable or wet waste ;
- (c) domestic hazardous waste; and deposit it into covered waste bins, and handover segregated waste to designated waste collectors as per the direction of Municipal Committee, Banihal from time to time.

(2) Every bulk waste generator is to separate and store the solid waste coming out of their own places into three streams namely :

- (a) non-biodegradable or dry waste ;
- (b) biodegradable or wet waste ;

No. 25-16] The J&K Govt. Gazette, 25th Sept., 2019/3rd Asv., 1941. 15
oo

- (c) hazardous waste in suitable bins ; and handover segregated waste to authorised waste processing or disposal facilities or deposition centres through the authorised waste collection agency with paying the carrying charges specified by Municipal Committee, Banihal from time to time.

(3) The colour of bins for storage of segregated waste shall be green- for biodegradable waste or wet waste blue - for non- biodegradable or dry waste and black- for domestic hazardous waste.

(4) All resident welfare and market associations shall ensure segregation of waste at source by the generators, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed of through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by Municipal Committee, Banihal.

(5) All gated communities and institutions with more than 5,000 sq. m. area shall ensure segregation of waste at source by the generators, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed off through composting or bio- methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by Municipal Committee, Banihal.

(6) All hotels and restaurants shall ensure segregation of waste at source, facilitate collection of segregated waste in separate streams, handover recyclable material to either the authorised waste pickers or the authorised recyclers. The bio-degradable waste shall be processed, treated and disposed of through composting or bio-methanation within the premises as far as possible. The residual waste shall be given to the waste collectors or agency as directed by Municipal Committee, Banihal.

(7) No person shall organize an event or gathering of more than one hundred persons at any unlicensed place without intimating Municipal Committee, Banihal along with payment of user fee as prescribed in the schedule, at least three working days in advance and the person or the

16 The J&K Govt. Gazette, 25th Sept., 2019/3rd Asv., 1941. [No. 25-16
organizer of such event shall ensure segregation of waste at source and
handing over of segregated waste to waste collector or agency as specified
by Municipal Committee, Banihal.

(8) Used sanitary waste are to be securely wrapped as and when
generated in the pouches provided by the manufacturers or brand owners
of these products or in a news paper or suitable biodegradable wrapping
material and place the same in the bin meant for non- biodegradable
waste or dry waste.

(9) Every street vendor shall keep suitable containers for storage of
segregate waste generated during the course of his activity such as food
waste, disposable plates, cups, cans, wrappers, coconut shells, leftover
food, vegetables, fruits, etc., and shall deposit such waste at waste storage
depot or container or vehicle as notified by Municipal Committee, Banihal.

(10) Waste generator of garden and horticulture waste generated
from his premises shall store such waste separately in his own premises
and dispose of the same as per the directions of Municipal Committee,
Banihal from time to time.

(11) Domestic Hazardous Waste shall be stored and delivered by
every waste generator to the collection vehicle which shall be provided
weekly/periodically by Municipal Committee, Banihal or any other Agency
authorised by it for collection of such waste, or to a centre designed for
collection of such waste for disposal in a manner that is mandated by the
Government of Jammu and Kashmir or State Pollution Control Board.

(12) Construction and Demolition Waste shall be stored and delivered
separately as per the Construction and Demolition Waste Management
Rules, 2016.

(13) No untreated bio-medical waste, e-waste, hazardous chemicals
and industrial waste shall be mixed with solid waste. Such waste shall be
disposed off in accordance with the respective rules framed under the
Environment (Protection) Act, 1986.

(14) Every owner/occupier of any premises other than designated
slaughter houses and markets, who generates poultry, fish and slaughter
waste as a result of any commercial activity, shall store the same separately
in closed, hygienic condition and deliver it at a specified time, on a daily

No. 25-16] The J&K Govt. Gazette, 25th Sept., 2019/3rd Asv., 1941. 17
basis to the Municipal Committee, Banihal, collection vehicle provided for
this purpose. Depositing of such waste in any community waste bin is
strictly prohibited.

(15) Segregated bio-degradable solid waste if not composted by the
generators, shall be stored by them within their premises and its delivery
shall be ensured to the municipal worker/vehicle/waste picker/waste
collector or to the bio-degradable waste collection vehicle provided for
specified commercial generators of bulk bio-degradable waste at such
times as may be notified from time to time.

Chapter III

Solid Waste Collection

5. *Collection of Solid Waste.* (1) In compliance with SWM Rules,
2016, door to door collection of segregated solid waste shall be implemented
in all areas or Wards of Municipal Committee, Banihal, to collect garbage
from every house, including slums and informal settlements on a daily
basis by integrating the informal door to door collection system with
Municipal Committee, Banihal collection system.

(2) In order to collect garbage from every house, area-wise specific
time slot shall be set and published at conspicuous parts of that area and
on the website of Municipal Committee, Banihal Commonly, time for
house to house garbage collection shall be set from 5.30 A. M. to 10.30
A. M. for summer and for winter 7:00 A. M. to 11:00 A. M. For collection
of garbage from trading establishments, shops in commercial areas or any
other institutional waste generators, commonly the time shall be from
7.30 A. M. to 11.00 A. M. However, sweeping can be undertaken twice
daily, if required at public and commercial places. The timing for collection
of garbage from the trading establishments, shops in commercial areas or
any other institutional waste generators shall be decided by the Municipal
Committee, Banihal accordingly.

(3) Arrangements shall be made for collection of residual solid
waste from bulk waste generators, which are processing waste *in-situ*.

(4) Residual solid waste from vegetable, fruit, flower, meat, poultry
and fish market shall be collected on day to day basis.

18 The J&K Govt. Gazette, 25th Sept., 2019/3rd Asv., 1941. [No. 25-16
oo

(5) Horticulture and garden waste shall be separately collected and disposed off. One or two days in a week shall be specified for this purpose.

(6) To make optimum use of bio-degradable waste from fruits and vegetable markets, meat and fish markets, bulk horticulture and garden waste and to minimize the cost of collection and transportation, such waste shall be processed or treated within the area where waste is generated.

(7) Manual handling of waste in the containers shall be prohibited. If unavoidable due to constraints, manual handling shall be carried out under proper protection with due care for safety of workers.

(8) Waste generators shall be responsible to deposit their segregated waste in the Auto-Tipper/Rickshaws etc. deployed by Municipal Committee, Banihal. Segregated waste from multistoried buildings, apartments, housing complexes may be collected from the entry gate or any other designated location.

(9) Changing needs and advances in technology shall be taken into consideration for selection of collection equipment and vehicles. Auto-Tippers or vehicles of specific capacity with hydraulically operated hopper covering mechanism from top having two compartments for carrying biodegradable and non-biodegradable waste separately with a hooter shall be deployed for collection of waste.

(10) Automatic voice recorded device, bell or horn having sound not more than the permissible noise level shall be installed on every garbage collection vehicle used by waste collectors.

(11) Route plans for each primary collection and transportation vehicle shall be provided by Municipal Committee, Banihal or by the notified authorised waste collector. These plans in tabular as well as GIS map form, duly approved by Municipal Committee, Banihal shall mention starting point, start time, waiting points, waiting time on route, end point and end time of the specified route. Municipal Committee, Banihal or the notified authorised waste collector shall provide a Board at each street to display time-table of primary collection and transportation vehicles to allow residents

No. 25-16] The J&K Govt. Gazette, 25th Sept., 2019/3rd Asv., 1941. 19
avail the facility at prescribed time. Such information shall also be uploaded
on the website of Municipal Committee, Banihal and published in the local
leading newspaper periodically for the information of General Public.

(12) In narrow streets that cannot be serviced by auto tipper or the vehicle, a 3-Wheeler or smaller motorized vehicle with hydraulically operated hopper covering mechanism from top having two compartments for carrying wet and dry waste separately with a hooter, compatible with mobile transfer station shall be deployed.

(13) In congested and narrower streets that cannot even be serviced by 3-Wheeler or smaller vehicle, cycle rickshaws or any other type of suitable equipment shall be deployed.

(14) Smaller, narrow and congested streets/lanes where even a 3-wheeler/ rickshaw etc. cannot operate, vantage points shall be designated at the start of the locality/street where the collection vehicle shall be parked and the helper/driver of vehicle shall carry a whistle and walk in the locality to announce arrival of vehicle for collecting solid waste. Time table for such collection system shall be displayed at the notice board and uploaded on the website of Municipal Committee, Banihal.

(15) Auto tippers, 3-wheelers, rickshaws and any other type of collection vehicles engaged in this service shall collect waste only from households and not from any other source viz. dhalaos, open sites, ground, bins and drains etc.

(16) Municipal Committee, Banihal or its notified authorised waste collectors shall be responsible to cover all the streets/lanes of each zone for the primary collection.

Chapter IV

Secondary Storage of Solid Waste

6. Storage of solid waste in the secondary storage points.

(1) Segregated solid waste collected from doorsteps shall be taken to waste storage depots, community storage bins or fixed or mobile transfer stations or the locations specified by Municipal Committee, Banihal for secondary storage of waste.

(2) Such secondary storage points shall have covered containers (of specified colour) for separate storage of :ô

- (3) Different containers shall be used in the areas demarcated by Municipal Committee, Banihal to keep segregated waste in the following manner :

- Municipal Committee, Banihal shall separately notify, from time to time, mandatory colour coding and other specifications of receptacles prescribed for storage and delivery of different types of solid waste to enable safe and easy collection without any mixing or spillage of waste, which generators of different types of solid waste shall have to adhere to.

(5) Containers of various sizes in the secondary storage depots shall be provided by Municipal Committee, Banihal or any assigned agencies in different colours as mentioned in these bye-laws.

(6) Storage facilities shall be created and established by taking into account quantities of waste generation in a given area and the density of population.

No. 25-16] The J&K Govt. Gazette, 25th Sept., 2019/3rd Asv., 1941. 21
oo

(7) Storage facilities shall be user friendly and shall be so designed that it ensures compaction of waste and that the waste stored is not exposed to open atmosphere.

(8) All the housing cooperative societies, associations, residential and commercial establishments and gated communities etc. shall have the responsibility to put coloured bins as prescribed by these bye-laws and to keep adequate number of containers in appropriate places in their own complexes, so that the daily waste generated there can be properly deposited.

(9) Municipal Committee, Banihal or its specified agency shall carry out washing and disinfection of all the bins on a weekly basis.

(10) Recycling Centers for Dry Waste (Non-Biodegradable Waste)ô

- (a) Municipal Committee, Banihal shall convert its existing Dhalaos or identify specific location as per requirement, as 'Recycling Centers' which shall be used for segregation of dry waste received through street/door to door waste collection service. Recycling centers may be increased depending on the quantity of dry waste received.
- (b) Dry (non-biodegradable) waste from street/door-to-door collection system and from commercial establishments shall be transferred only to these designated recycling centers. These designated centers shall receive only dry waste.
- (c) There shall also be a provision for the households to directly deposit or sell their recyclable dry waste to the authorised agents and/or authorised waste dealers of Municipal Committee, Banihal at these recycling centers at pre-notified rates. A weighing scale and a counter shall be provided at each recycling unit for this purpose. The authorised agents and/or authorised waste dealers shall be allowed to dispose off or sell the recyclable waste to the secondary market or recycling units only in consonance with the provisions of

22 The J&K Govt. Gazette, 25th Sept., 2019/3rd Asv., 1941. [No. 25-16
SWM Rules, 2016. The authorised agents and/or authorised
waste dealers will be entitled to retain sales realization thereof.

(11) Deposition Centre for specified Domestic Hazardous
Waste

- (a) For the collection of domestic hazardous waste, a deposition centre will be set up at a suitable location for receiving the specified domestic hazardous waste. Such facility shall be set in each ward in a manner as per guidelines prescribed and notify the timing of receiving of such waste.
- (b) Municipal Committee, Banihal may also give the responsibility to its agency or concessionaire to collect domestic hazardous waste from all waste generators in segregated manner.
- (c) Such waste shall be transported separately to the hazardous waste disposal facility set up by the Government.

Chapter V

Transportation of Solid Waste

7. Transportation of solid waste. (1) Vehicles used for transportation of waste shall be covered in such manner that the collected waste is not exposed to open environment. The vehicles may also include compactors and mobile transfer stations depending upon choice of technology by Municipal Committee, Banihal.

(2) The storage facilities set up by Municipal Committee, Banihal shall be attended daily for clearing waste. The areas around the place where the bins or containers are kept shall also be cleaned.

(3) Collected segregated bio-degradable waste from residential and other areas shall be transferred to the processing plants like compost plants, bio-methanation plants or any such other facilities in a covered manner.

No. 25-16] The J&K Govt. Gazette, 25th Sept., 2019/3rd Asv., 1941. 23
oo

(4) Wherever applicable, for bio-degradable waste, preference shall be given for on-site processing of such waste.

(5) Collected non-bio-degradable waste shall be transported to the respective processing facilities or secondary storage facilities.

(6) Construction and Demolition Waste shall be transported as per the provisions of the Construction and Demolition Waste Management Rules, 2016.

(7) Municipal Committee, Banihal shall make arrangements for transportation of inerts in a proper manner. The street sweeping waste and removable drain silt shall be removed immediately after the work is over.

(8) Transportation vehicles shall be so designed that multiple handling of waste, prior to final disposal, is avoided.

(9) The collection vehicles engaged for the purpose shall deposit/transfer waste only at the MTS (Mobile Transfer Station) or FCTS (Fixed compactor Transfer Stations) wherever provided.

(10) In case MTS/FCTS is not stationed at the designated location at that point of time for any reason, then the 'loaded vehicle' shall go to the next designated location of the MTS or FCTS or the site specified by Municipal Committee, Banihal to unload the waste.

(11) Fixed compactor transfer station shall be transported through hook loader.

(12) MTS or FCTS shall transport the waste directly to compost plant, waste to energy plant or any other site/plant designated by Municipal Committee, Banihal.

(13) There should be no inter-mixing of waste from various sources during the transportation of waste.

(14) The services of street level collection and transportation of waste shall be provided every day including holidays.

(15) MTS engaged in this service shall receive waste only from designated auto tippers, 3-wheelers or vehicle/bins collecting waste from street level operations.

(16) Dedicated MTS shall be deployed at specified locations to receive waste from the Auto Tippers, 3-Wheelers, Rickshaws etc. engaged in street-level and door-to-door collection of solid waste from households and commercial establishments as per the approved route plans.

(17) Design of MTS and FCTS shall allow unloading of waste from primary collection vehicles by consuming minimum time and without littering waste.

(18) Garbage spilled near MTS and FCTS, while transferring the solid waste, should be cleaned so that no spillage is left. Disinfectant should be used after cleaning process at that location.

(19) Municipal Committee, Banihal or its specified agency shall install CCTV cameras at all secondary storage facilities.

Processing of Solid Waste

8. *Processing of solid waste.* (1) Municipal Committee, Banihal shall facilitate construction, operation and maintenance of solid waste processing facilities and associated infrastructure on their own or through any agency for optimum utilisation of various components of solid waste adopting suitable technology including the following technologies and adhering to the guidelines issued by the Ministry of Urban Development from time to time and standards prescribed by the Central Pollution Control Board :

- (a) to minimise transportation cost and environmental impacts, preference shall be given to decentralised processing such as bio-methanation, microbial composting, vermi-composting, anaerobic digestion or any other appropriate processing for bio-stabilisation of biodegradable waste ;
- (b) through medium/large composting bio-methanation plants at centralised locations ;

No. 25-16] The J&K Govt. Gazette, 25th Sept., 2019/3rd Asv., 1941. 25
oo

- (c) through waste to energy processes by refuse derived fuel for combustible fraction of waste or supply as feed stock to solid waste based power plants ; and/or
- (d) through construction and demolition waste management plants.

(2) Municipal Committee, Banihal shall endeavour to create a market for consumption of RDF (Refuse Derived Fuel). The cement factories are liable to take RDF from municipal dumping sites who have to use RDF to the order of 5% of the total fuel burnt by them in their kilns.

(3) In waste to energy plant by direct incineration, absolute segregation shall be mandatory and be part of the terms and conditions of the relevant contracts.

(4) Municipal Committee, Banihal shall ensure that recyclables such as paper, plastic, metal, glass, textile etc. go to authorised recyclers.

9. *Other guidelines for processing of solid waste.* (1) Municipal Committee, Banihal shall enforce processing of bio-degradable waste on site of generation of such waste through composting or bio-methanation, as far as possible, at RWAs (Resident Welfare Associations), group housing societies, markets, gated communities and institutions with more than 5000 sq. m. areas, all hotels and restaurants, banquet halls and places of such nature. Preference shall be given for on site processing of biodegradable waste generated by other waste generators as well.

(2) Bulk generators who fail to install waste processing units within their premises shall be liable for fine to install such processing units with time line envisaged in the notices. If they perpetually fail to establish waste disposal system within six months after first notice issued to them, the Municipal Committee, Banihal are empowered to seal such erring bulk waste generating business establishments.

(3) Municipal Committee, Banihal shall enforce that markets dealing with vegetables, fruits, flowers, meat, poultry and fish waste while processing bio-degradable waste ensure hygienic conditions.

(4) Municipal Committee, Banihal shall enforce processing of horticulture, parks and garden waste separately in the parks and gardens by the generators.

(5) Municipal Committee, Banihal shall involve communities in waste management and promote home composting, bio gas generation, decentralized processing of waste at community level, subject to control of odour and maintenance of hygienic conditions around the facility.

(6) The waste generator has to pay user charges/sanitation fee to the local bodies inspite of the fact if they process their waste at their institutional level.

Disposal of Solid Waste

10. *Disposal of Solid waste.* Municipal Committee, Banihal shall undertake on its own or through any other agency, the construction, operation and maintenance of sanitary landfill and associated infrastructure for disposal of residual waste and inert street sweepings and silt from surface drains in a manner prescribed under SWM Rules and any other obligation imposed by any other law for the time being in force.

User Fee and Levying of Spot Fine/Penalty

11. *User fee for collection, transportation, disposal of solid waste.* (1) User fee shall be fixed for providing services for garbage collection, transportation and disposal from waste generators by Municipal Committee, Banihal. The rates of user fee are specified in Schedule-I.

(2) The user fee so fixed shall be collected from waste generators by Municipal Committee, Banihal or the authorised agency or person as may be authorised by Commissioner/Director/Executive Officer in this behalf.

(3) Municipal Committee, Banihal shall prepare the database of all the waste generators for the purpose of levying user fee, and evolve appropriate mechanism for billing/collection/recovery of user charges, within

three months from the date of notification of these bye-laws. The database shall be updated regularly.

(4) Municipal Committee, Banihal shall adopt different methods for collection of user fee including online payment.

(5) Special days in a month, preferably in first week of each month, shall be fixed for collection of user fee.

(6) There shall also be a system of yearly or half yearly payment. If the user fee is paid in advance for the entire year, then amount for ten months will be charged instead of twelve months. Similarly, for six months advance payment, five and half months demand amount will be charged instead of six months.

(7) The user fee mentioned in Schedule-I shall stand automatically increased by 5% after every 3 years with effect from 1st January of the year.

(8) The user fee shall be collected only by the institution/person authorised by the competent authority by a general or special order in this behalf.

(9) In case of default of payment of user fee/fine, the competent authority may recover the same from the defaulter as an arrear of land revenue as per the provision of Land Revenue Act, 1996. However, Municipal Committee, Banihal shall be allowed to effect the recovery under the provisions of Jammu and Kashmir Municipal Corporation Act, 2000.

12. Fine/Penalty for contravention of SWM Rules.

(1) Whosoever contravenes or fails to comply with any of the provisions of SWM Rules or these bye-laws shall be imposed with fine as mentioned in Schedule-II appended to these bye-laws.

(2) In case of repeated contravention or non-compliance as mentioned in clause (a) above, fine amount for every such default shall be levied per day or month, as the case may be.

(3) The Executive Officer shall designate officers for levying fine or penalty by a general or special order in this behalf. The fine/penalty amount is specified in Schedule-II.

(4) The fine or penalty mentioned in Schedule-II shall stand automatically increased by 5% after every 3 years with effect from 1st January of the year.

(5) The fine shall be levied and collected on the spot by the designated officers. In case of non-payment of fine at the spot, the procedure for prosecution prescribed under provisions of the Environment (Protection) Act, 1986 shall follow.

(6) In realization of fines imposed on defaulters, the J&K State Pollution Control Board shall not renew the licenses of hotels and other business units unless an NOC is not procured by the business unit/s from the concerned Municipal Committee, Banihal.

(7) Fine shall be imposed on the hospitals and allied concerns if they are found mixing bio-medical wastes with municipal solid waste.

(h) Charges for the material recovery by rag pickers or waste dealers to be decided by the concerned Local Bodies.

(8) Concession to bulk purchasers of compost/plastic/tin and recyclables on the price of by product, if any, as a result of processing of Solid Waste shall be decided by the Municipal Committee, Banihal.

(j) The cement manufacturing units shall be responsible to lift the RDF from municipal dumping sites and their license renewals be linked with Municipal Committee, Banihal NOC.

(9) Tippers ferrying building material and causing avoidable waste on the streets shall be liable for fine to be decided by the Municipal Committee, Banihal but not less than Rupees Five Hundred (500/-) per default.

13. Responsibilities of Waste Generators.ô (1) Prohibition of litteringô

(a) Littering in any public place : No person shall litter in any public place except in authorised public or private litter

- (b) Littering on any property : No person shall litter on any open or vacant property except in authorised private or public receptacles.
- (c) Litter-throwing from vehicles : No person, whether a driver or passenger in a vehicle, shall litter upon any street, road, sidewalk, playground, garden, traffic island or other public place. No vehicle shall be washed on roads, river banks, near public parks, water bodies.
- (d) Litter from goods vehicles : No person shall drive or move any truck or other goods vehicle unless such vehicle is so constructed and loaded as to prevent any load, contents or litter from being blown off or deposited upon any road, sidewalks, traffic island, playground, garden or other public place.
- (e) Litter by owned/pet animals : It shall be the responsibility of the owner of any pet animal including dog, cat etc. to promptly scoop/clean up any litter created by such pet on the street or any public place and take adequate steps for the proper disposal of such waste preferably by their own sewage system.
- (f) Disposal of waste in drain etc. No person shall litter in any drain/river/open pond/water bodies.

(3) **öClean Areaö** : Every person shall endeavour that any public place in front of or adjacent to any premises owned or occupied by him including the footpath and open drain/gutter and kerb is free of any waste, either in solid or liquid form.

(4) For Public Gatherings and Events organised in public places for any reason (including for processions, exhibitions, circuses, fairs, political rallies, commercial, religious, socio-cultural events, protests and demonstrations, etc.) where the permission from the Police Department and/or from the Municipal Committee, Banihal is required, it will be the responsibility of the organiser of the event or gathering to ensure the cleanliness of that area as well as all appurtenant areas.

(5) Refundable Cleanliness Deposit, as may be notified by the Municipal Committee, Banihal, will be taken from the organiser, by the concerned zonal office for the duration of the event. This deposit will be refunded on the completion of the event after it is noted that the said public place has been restored back to a clean state, and any waste generated as a result of the event has been collected and transported to designated sites. This deposit will be only for the cleanliness of the public place and does not cover any damage to property. In case the organisers of the event wish to avail of the services of the Municipal Committee, Banihal for the cleaning, collection and transport of waste generated as a result of that event, they must apply to the concerned Executive Officer of Municipal Committee, Banihal for availing the services and pay the necessary charges as may be fixed by the Competent Authority for this purpose.

(6) Dumping of solid waste on vacant plot and depositing construction and demolition waste at non-designated locations shall be dealt with by the Municipal Committee, Banihal in the following manner :

- (a) The Municipal Committee, Banihal may serve a notice on the owner/occupier of any premises, requiring such owner/occupier to clear any waste on such premises in a manner and within a time specified in such notice.
- (b) If the person on whom the notice has been served fails to comply with the requirements imposed by the notice, such person shall be liable to pay penalties as prescribed from time to time.
- (c) If the person on whom the notice is served fails to comply with any requirements imposed by such notice, the Municipal Committee, Banihal mayô

- (7) Duty of manufacturers or brand owners of disposable products and sanitary napkins and diapers

- 0.5% of Annual turnover shall be chargeable from them for establishment/maintenance of solid waste management facilities to be deposited with the concerned corporation/local body.**

- (8) All industrial units using fuel and located within one hundred Km. from a solid waste based refuse derived fuel plant shall make arrangements to replace at least five percent of their fuel requirement by refused derived fuel so produced.

No. 25-16] The J&K Govt. Gazette, 25th Sept., 2019/3rd Asv., 1941. 33
oo

(7) Municipal Committee, Banihal shall create awareness and sensitization through Information, Education and Communication (IEC) campaign and educate the waste generators and other stakeholders about the various provisions of Solid Waste Management Rules and these bye-laws with special emphasis on user fee and fines/penalties.

(8) Municipal Committee, Banihal shall encourage waste generators to treat wet waste at source. It may consider creating systems for incentives for adoption of decentralized technologies such as bio-methanation, composting etc. Incentives may be like awarding and recognizing the households. RWAs and institutions etc. by giving certificates by publishing their names on respective websites or rebate in property tax etc.

(9) Municipal Committee, Banihal shall ensure that the authorities of Agriculture Department, Floriculture Department, Horticulture, SKAUST are supplied with sufficient quantity of compost generated out of organic waste to phase out the use of chemical fertilizers and use compost in all parks, gardens maintained by them and wherever possible in other places under its jurisdiction. Incentives may be provided to recycling initiatives by informal waste recycling sector and shall take up with the Directorate of Horticulture, Agriculture and Floriculture for use of compost.

(10) Municipal Committee, Banihal shall make efforts to streamline and formalize solid waste management systems and endeavour that the informal sector workers in waste management (waste pickers) are given priority to upgrade their work conditions and are enumerated and integrated into the formal system of solid waste management.

(11) Municipal Committee, Banihal shall ensure that the operator of a facility provides personal protection equipment including uniform, fluorescent jacket, hand gloves, raincoats, appropriate foot wear and masks to all workers handling solid waste and the same are used by the workforce.

(12) Municipal Committee, Banihal shall ensure occupational safety of its own staff and staff of outsourced agency involved in collection transport and handling of waste by providing appropriate and adequate personal protective equipments.

(13) In case of an accident at any solid waste processing or treatment or disposal facility or landfill site, the officer-in-charge of the facility shall report to Municipal Committee, Bijbehara immediately which shall review and issue instructions, if any, to the in-charge of the facility.

(14) Regular checks : The Executive Officer, Municipal Committee, Banihal shall conduct regular checks in various parts of the wards and other places of collection, transportation, processing and disposal of solid waste to supervise compliance of various provisions of SWM Rules and these bye-laws.

(15) Municipal Committee, Banihal shall develop a public grievance redressal system (PGRS) by setting up of call centre at its headquarter. The PGRS may include SMS based service mobile application or web based services.

(16) Municipal Committee, Banihal shall install bio-metric/smart card technologies/ICT System for tracking and recording attendance of employees associated with the working of SWM Rules and these bye-laws at Hq./all zones/ward offices etc. and shall make an endeavour to integrate such system with the salary/wages/remuneration.

(17) Transparency and Public Accessibility : To ensure greater transparency and public accessibility, Municipal Committee, Banihal shall provide all necessary information through its website.

(18) Municipal Committee, Banihal shall perform all other duties mentioned in SWM Rules, which have not been specifically mentioned in these bye-laws.

Miscellaneous

15. If any doubt or difficulty arises in the interpretation or implementation of these bye-laws, the same shall be placed before the Chairperson, Municipal Committee, Banihal, whose decision in the matter shall be final.

16. *Co-ordination with Government Bodies.*ô Municipal Committee, Banihal shall co-ordinate with other government agencies and

No. 25-16] The J&K Govt. Gazette, 25th Sept., 2019/3rd Asv., 1941. 35
authorities, to ensure compliance of these bye-laws within areas under
the jurisdiction or control of such bodies. In case of any difficulty matter
shall be placed before Chief Secretary of Government of J&K.

17. The Competent Authority may issue general or special orders
from time to time for proper implementation of Solid Waste Management
Rules, 2016 and these bye-laws.

(18) *Right to Appeal.* Any person aggrieved or affected by
Pahalgam Municipal Committee Solid Waste Management Bye-Laws,
2019 shall have the right to appeal before concerned Director/Executive
Officer of Urban Local Bodies, Kashmir/Municipal Committee, Banihal
within 30 days and in case he is not satisfied with the disposal of Director/
Executive Officer concerned, the second appellate authority shall be
Administrative Secretary of Housing and Urban Development Department,
whose decision shall be final and binding.

(19) *Jurisdiction.* For filing cases against the Bye-Laws, the
Jurisdiction is Jammu and Srinagar only.

66666666

SCHEDULE-I

USER FEE SOLID WASTE MANAGEMENT

S.No.	Categories	User Fee from each premises/ House/Dwelling Unit/Flat per month (In Rupees)	
		Municipal Councils	Municipal Committees
1	2	3	
1.	Residential dwelling unit (Covered area)		
	i. Up to 2000 Sq. ft.	50	50
	ii. Over 2000 Sq. ft.	75	75
2.	Street Vendor	50	50
3.	Commercial Establishments, Shops, Eating Places (Dhaba/Sweet/Shops/ Coffee house, Saloon etc.)	250	100
4.	Guest House/Dharamshalas/ Hostels/Paying Guest	1000	500
5.	Restaurant up to sitting of 50 person	1000	500
6.	Restaurant with sitting of more than 50 person	2000	1000
7.	Hotel (Up to 3 star)	1000	1000
8.	Hotel (above 3 star)	5000	5000
9.	Commercial offices, government officers, bank, insurance offices, coaching classes, educational institutes etc.	500	100
10.	Kinder Garten, Cretches etc.	--	-- --
11.	Clinic, dispensary, laboratories,	1000	500

[illegible]

12.(b)	Hospitals, Nursing Homes (above 50 beds)	4000	4000
--------	---	------	------

14.	Godowns, cold storages (only non-hazardous waste)	2000	1000
-----	--	------	------

16.	Service Stations, Automobile Workshops	1000	500
-----	--	------	-----

18.	Clubs, cinemas halls, pubs, multiplexes and other such places	2000	1000
-----	---	------	------

20.	Dairies & Kennels	1000	500
-----	-------------------	------	-----

óóóóóóóó

[illegible]

SCHEDULE-II

FINE/PENALTY

S.No.	Rule/Bye-Laws No.	Offences	Applicable to	Fine for every default (In Rs.)
1.	Rule 4 (1)(a) of SWM Rules	Failure to segregate and store waste and handover segregated waste in accordance with the Rule	Residential	500
			Marriage/Party Halls, Festival Halls, Party Lawns, Exhibition and Clubs, Cinema Halls, Pubs, Community Halls, Multiplexes and other such places with area less than 5000 sq. m.	10,000
			Other non-residential entities with area less than 5000 sq.m.	5000
2.	Rule 4 (1) (b) and (d) of SWM Rules	o Failure to deal with sanitary waste in accordance with the Rule	Residential	500
		o Failure to deal with horticulture waste and garden waste in accordance with the Rule	Non-Residential	1000

1	2	3	4	5
3.	Rule 4 (1) (c) of SWM Rules	Failure to deal with construction and demolition waste in accordance with the Rule	Residential Non-Residential	2000 5000
4.	Rule 4 (2) of SWM Rules	Open burning of solid waste	Violator	5000
5.	Rule 4 (4) of SWM Rules	Organizing an event or gathering of more than one hundred person at any unlicensed place without following the prescribed procedure	Person(s), who has/ve organised such event or gathering or, on whose behalf such event or gathering has been organized and the event manager(s), if any, who has/ve organized such event or gathering	5000
6.	Rule 4 (5) of SWM Rules	Street vendor failing to deal with waste in accordance with the Rule	Violator	500

[illegible]

1	2	3	4	5
---	---	---	---	---

7.	Bye-Law 13 (i) read with Rule 15 (g) of SWM Rules	Littering	Offender	500
8.	Rule 4 (6) of SWM Rules	Failure to deal with waste in accordance with the Rule	Resident Welfare Association	5000
			Market Association	10,000
9.	Rule 4 (7) of SWM Rules	Failure to deal with waste in accordance with the Rule	Gated Community	10,000
			Institution	15,000
10.	Rule 4 (8) of SWM Rules	Failure to deal with waste in accordance with the Rule	Hotel	20,000
			Restaurant	10,000
11.	Rule 17 (2) of SWM Rules	Selling or marketing of disposable products without a system of collecting back the packaging waste generated due to their production	Manufacturer and/or Brand Owner	50,000
12.	Rule 17 (3) of SWM Rules	Failure to take measure in accordance with the Rule	Manufacturer and/or Brand owner and/or marketing companies	50,000

(i) read with
Rule 15 (g)
of SWM
Rules

8.	Rule 4 (6) of SWM Rules	Failure to deal with waste in	Resident Welfare Association	5000
----	-------------------------------	-------------------------------------	------------------------------------	------

waste in accordance with the Rule	Association	
	Market Association	10,000

9.	Rule 4 (7) of SWM Rules	Failure to deal with waste in accordance with the Rule	Gated Community Institution	10,000 15,000
----	-------------------------------	--	------------------------------------	----------------------

waste in accordance with the Rule	Institution	15,000
---	-------------	--------

10.	Rule 4 (8) of SWM Rules	Failure to deal with waste in accordance with the Rule	Hotel Restaurant	20,000 10,000
-----	-------------------------------	--	-------------------------	----------------------

waste in accordance with the Rule	Restaurant	10,000
---	------------	--------

11.	Rule 17 (2) of SWM Rules	Selling or marketing of disposable products without a system of collecting back the packaging waste generated due to their production	Manufacturer and/or Brand Owner	50,000
-----	--------------------------------	--	---------------------------------------	--------

products without a system of collecting back the packaging waste generated due to their production

12.	Rule 17 (3) of SWM Rules	Failure to take measure in accordance with the Rule	Manufacturer and/or Brand owner and/or marketing companies	50,000
-----	--------------------------	---	--	--------

Failure to take measure in accordance with the Rule	Manufacturer and/or Brand owner and/or marketing companies
---	--

óó

oo

óóóóóó

FORM-A

APPLICATION FOR REMITTING SOLID WASTE
MANAGEMENT USER CHARGES

From

í í í í í í í í í í í í í í

.,í í í í í í í í í í í í í í

í í í í í í í í í í í í í í

To

The Chief Executive Officer/Executive Officer,
Municipal Committee, Banihal.

Sir,

I/We hereby affirm to state that I/We do carry out business at
(address of the applicant with the nature of business). I/We hereby agree
to hand over the Municipal Solid Waste generated by me/us at my/our
premises in segregated form and also agree to pay the SWM User
Charges of Rs. í í í í í í í í (in words) as fixed in the SWM
Bye-Laws.

I/We further affirm to state that in the event, I/We change the place
of business. I/We would duly intimate the Chief Executive Officer/
Executive Officer in writing before 30 days for the consequent action to
be taken for cancellation of the SWM User Charges.

Yours faithfully,

(Signature of the applicant with date)

oooooooooooo

FORMAT TO PREPARE AND SUBMIT ANNUAL REPORT ON SOLID WASTE MANAGEMENT-2016

Calendar Year:

[illegible]

2

1 Name of the City/Town and State

2 Population :

3 Area in Sq. Kilometers

4 Name and Address of local body

Telephone

Fax No.

E-mail:

5 Name of the officer-in-charge
dealing with solid waste
management (Solid Waste)

Phone No.

Fax No.

E-mail:

6 Number of households in the city/town

Number of non-residential premises
in the city

Number of election/administrative
wards in the City/town

7 Quantity of Solid Waste (Solid Waste)

Estimated Quantity of Solid Waste
generated in the local body area
per day in metric tones

44 The J&K Govt. Gazette, 25th Sept., 2019/3rd Asv., 1941. [No. 25-16
oo

1

2

oo
Quantity of Solid Waste collected

per day

Per capita waste collected per year

Quantity of solid waste processed

Quantity of solid waste disposed at
dumpsite/landfill

8 Status of solid waste
management service

Segregation and storage
of waste at source

Whether Solid Waste is stored
at source in domestic/commercial/
institutional bins, if yes.

Percentage of Household practice
storage of waste at source in
domestic bins

Percentage of non-residential
premises practices storage of
waste at source in commercial/
institutional bins

Percentage of households dispose
or throw solid waste on the streets

Percentage of non-residential
premise dispose or throw solid
waste on the streets

Whether solid waste is stored at
source in segregated form, if yes.

Percentage of premises
segregating the waste at source

oo

Door to Door Collection of
solid waste

Whether door to door collection
(D2D) of solid waste is being done
in the city/town, if yes

Number of wards covered in D2D
collection of waste

Number of household covered

Number of non-residential
premises including commercial
establishments, hotels, restaurant,
educational Institution/offices
etc. covered

Percentage of residential and
non-residential premises covered in
door to door collection through:

Motorized vehicle

Contained tricycle/Handcart

Other device

If not, method of primary
collection adopted

Sweeping of streets

Length of roads, streets, lanes,
bye-lanes in the city that need
to be cleaned

Frequency of street Frequency
and percentage of population
covered

Tools used

Manual sweeping

Mechanical Sweeping

oo

Whether long handle broom used
by sanitation workers

Whether each sanitation worker is
given handcart/tricycle for
collection of waste

Whether handcart/tricycle is
containerized

Whether the collection tools
synchronizes with collection/waste
storage containers utilized

Secondary Waste Storage facilities

No. and type of waste storage
depots in the city/town

- * Open waste storage sites
- * Masonry bins
- * Cement concrete cylinder bins
- * Dhalao/covered rooms/space
- * Covered metal/plastic containers
- * Up to 1.1 m³ bins
- * 2 to 5 m³ bins
- * Above 5 m³ containers
- * Bin-lesscity

Bin/Population ratio

Ward-wise details of waste
storage depots (attach):

Ward No.

Area :

Population

oo

No. of bins placed

Total volume of bins placed

Total storage capacity of waste
storage facilities in cubic meters

Total Waste actually stored at the
waste storage depots daily

Give frequency of collection of
waste from the depots number
of bins cleared

Whether storage depots have facility
for storage of segregated waste in
green, blue and black bins

Whether lifting of solid waste from
storage depots in manual or
mechanical, give percentage

(%) of manual lifting of solid waste

(%) of mechanical lifting

If mechanical specify the
method used

Whether lifted from door to door
and transported to treatment plant
directly in a segregated form

Waste transportation per day

Type and number of vehicles used

Animal cart

Tractors

Non-tipping Truck

Tipping Truck

Dumper Placers

48 The J&K Govt. Gazette, 25th Sept., 2019/3rd Asv., 1941. [No. 25-16
oo

1

2

oo
Refuse Collectors

Others

JCB/Loader

Frequency of transportation
of waste

Quantity of waste transported
each day

Percentage of total waste
transported daily

Waste Treatment Technologies used

Whether solid waste is
processed daily

If yes, Quantity of waste
processed daily

Whether treatment is done by local
body or through an agency

Land (s) available with the local
body for waste processing
(in Hectares)

Land currently utilized for
waste processing

Solid Waste processing facilities
in operation

Solid Waste processing under
construction

Distance of processing facilities
from city/town boundary

Details of technologies adopted

Composting

oo

Vermi composting

Bio-methanation

Refuse Derived Fuel

Waste to Energy technology
such as incineration, gasification,
pyrolysis or any other technology

Co-processing

Combustible waste supplied to
Cement plant

Combustible waste supplied to
solid waste based power plants

Others

Solid waste disposal facilities

No. of dumpsite sites available
with the local body

No. of sanitary Landfill sites
available with the local body

Area of each such sites available
for waste disposal sites

Distance of dumpsites/landfill
facility from city/town

Distance from the nearest
habitation

Distance from water body

Distance from state/national
highway

Distance from Airport

Distance from important religious
place or historical monument

oo

Whether it falls in flood
prone area

Whether it falls in
earthquake fault line area

Quantity of waste land
filled each day

Whether landfill site is
fenced

Whether landfill facility is
available on site

Whether Weigh bridge
facility available

Vehicle and equipments
used at landfill (specify)

Manpower deployed at
landfill site

Whether covering is done
on daily basis

If not, Frequency of
covering the waste
deposited at the landfill

Cover material used

Whether adequate covering
material is available

Provisions for gas venting
provided

oo

Provision for Leachate
Collection

Whether an Action Plan
has been prepared from
improving solid waste
management practices in
the City

10. What separate provisions are made for :

Dairy related activities

Slaughter house waste

C&D waste
(construction debris)

11. Details of post Closure plan

12. How many slums are
identified and whether
these are provided
with Solid Waste
Management facilities

13. Give details of :

Local Body's own
manpower deployed for
collection including street
sweeping, secondary storage,
transportation, processing
and disposal of waste

52 The J&K Govt. Gazette, 25th Sept., 2019/3rd Asv., 1941. [No. 25-16
oo

1

2

oo

14. Give details of :

Contractor/concessionaireø
manpower deployed for
collection including street
sweeping, secondary storage,
transportation, processing and
disposal of waste

15. Mention briefly, the difficulties
being experienced by the local
body is complying with provision
of these rules

16. Mention briefly, if any innovative
ideas is implemented to tackle a
problem to solid waste, which
could be replicated by other
local bodies

(Sd.)

Executive Officer,
Municipal Committee, Banihal.